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UNIVERSITY OF NORTHERN COLORADO

Greeley, Colorado

The Graduate School

AN EXPLORATION OF STAFF TRAINING PRACTICES  
SPECIFIC TO THE PREVENTION OF  
STAFF-TO-STUDENT SEXUAL  
MISCONDUCT IN GENERAL  
AND SPECIAL EDUCATION

A Dissertation Submitted in Partial Fulfillment  
of the Requirements for the Degree of  
Doctor of Philosophy

Mary Kirsten Lintz

College of Education and Behavioral Sciences  
School of Special Education  
Special Education

May 2019

This Dissertation by: Mary Kirsten Lintz

Entitled: *An Exploration of Staff Training Practices Specific to the Prevention of Staff-to-Student Sexual Misconduct in General and Special Education*

has been approved as meeting the requirements for the Degree of Doctor of Philosophy in College of Education and Behavioral Sciences in School of Special Education, Program of Special Education

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Date of Dissertation Defense: March 20, 2019

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## ABSTRACT

Lintz, Mary, Kirsten. *An Exploration of Staff Training Practices Specific to the Prevention of Staff-to-Student Sexual Misconduct in General and Special Education*. Published Doctor of Philosophy dissertation, University of Northern Colorado, 2019.

A United States Department of Education commissioned study found that 10% of kindergarten–12 grade students are victims of staff-to-student sexual misconduct (Shakeshaft, 2004; U.S. Department of Education, n.da). A primary recommendation from that study was that districts provide staff training specific to the prevention of staff-to-student sexual misconduct. However, despite strong and repeated recommendations that all schools include annual staff training that specifically addresses the issue of staff-to-student sexual misconduct (Caldas & Betsy, 2014; Krohn, 2014; Mainella, 2015; Shakeshaft, 2004; U.S. Department of Education, 2008), a majority of districts nationwide have been slow to include this topic in their district staff training; further, districts are inconsistent in their handling of concerns and/or allegations (Caldas & Betsy, 2014; Mainella, 2015; Shakeshaft, 2013). Research indicates that children with disabilities are victimized at three to four times the rate of their non-disabled peers (Caldas & Betsy, 2014; Centers for Disease Control and Prevention, 2016a; Krohn, 2014), and preliminary research suggests their rate of victimization is also higher within the school setting (Caldas & Betsy, 2014). This study explored current training practices in relation to this important recommendation by surveying Title IX coordinators and special education directors ( $N = 177$ ) in a

selected western state to (a) determine the percentage of school districts in a western Unites States state that include a staff training program specific to reducing incidents of staff-to-student sexual misconduct, and to whom staff training is being provided, (b) identify perceived barriers to providing staff training specific to this topic, and (c) explore what, if any, qualities of a staff training program pertaining to prevention of staff-to-student sexual misconduct may be uniquely beneficial to staff serving students in special education. Findings indicate that many districts are not offering training specific to the topic of preventing staff-to-student sexual misconduct; time constraints, lack of knowledge of where to find resources, and financial constraints are perceived barriers to providing training on this topic; but that 50% of participants are interested in staff training with components that are specific to supporting staff who work with students with special needs. A primary implication from this study for future research and practice is to explore the inclusion of staff-to-student sexual misconduct prevention training at the level of professional preparation programs, particularly for those who will be working with students with special needs.

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Dr. Shakeshaft—first, as a parent of a fifth grader, thank you for your foundational work on this important topic. As a student and researcher, thank you so much for taking time to reply to my initial contact and for your suggestions for my survey—I felt star-struck. Like you, I had felt the undercurrent of the ongoing news reports, and to find your work was like a beacon.

This journey began while I was living in Oregon, with the incredible support of my Oregon friends and family. To those who directly supported my application, Ruth Gelbrich, Eric Richards, and Karen Adler (now at Colorado State University), I can't thank you enough for your belief in me. Eric, you said to me, "don't let anything stand in your way," and while I have encountered some sizable obstacles, your words have been instrumental in keeping me going.

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gift in itself, and the entirety of this process would not have been possible without my parents' continuous belief in my abilities and support throughout my life. Mom, I literally could not have done this without you, and I don't think I will ever find an adequate way to express how much I love and appreciate you. And Amelia, the light of my life, you have been such a support just in being the patient, wise-beyond-your-years 10-year-old that you are—as my mom has said so many times to me, I love you sweetie!

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Amelia, my beautiful and brilliant girl, I will support your dreams in every way possible.



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## CHAPTER I

### INTRODUCTION

Schooling is mandatory for children in the United States, and parents send their children each morning presumably trusting that they are being delivered into safe hands. While the primary focus of school is to educate students, the day-to-day operations go beyond academics to include the provision of safe and operational facilities, meals, and management of student needs and issues. According to DeMitchell (2002) the term *in loco parentis*, meaning in place of a parent, was first associated with schools by Sir William Blackstone in 1796 when he asserted that educators assume the responsibility of the safety and discipline of students when they are in school. It might seem to go without saying that school should be a safe place for students. However, according to a study funded by the United States Department of Education not all school staff may be operating as expected in such a trusted role (Shakeshaft, 2004).

In response to a noticed increase in news reports across the nation of staff-to-student sexual misconduct, the United States Department of Education commissioned a study to investigate the prevalence of sexual misconduct perpetrated against students in schools by school staff (Shakeshaft, 2004). Results of Shakeshaft's (2004) three-year study indicated that an estimated 10% of students could expect to be victims of school staff perpetrated sexual misconduct at some time during their kindergarten–12

grade education, equating to roughly 4.5 million students over the span of the 3-year review.

According to the National Center for Education Statistics, students receiving special education services currently comprise 13% of the total student population (National Center for Education Statistics, 2017), and though not specifically addressed in Shakeshaft's (2004) study, special education students are also targeted as victims of sexual misconduct in school. In fact, researchers consistently report that the rates of sexual abuse among students with disabilities is two to three times that of their non-disabled peers (Baladerian, Coleman, & Stream, 2012; Caldas & Betsy, 2014; Centers for Disease Control and Prevention, 2016a; Skarbeck, Hahn, & Parrish, 2009; Smith & Harrell, 2013) and as high as seven times that for those with intellectual disabilities (Shapiro, 2018). In a first-of-its-kind study attempting to better understand the nature of special education students' experience with sexual abuse in schools, Caldas and Betsy (2014) conducted a nationwide study of present and past special education students who identified as victims of sexual abuse in school either by self-report or caregiver report. Their target population was specifically students who had already been identified as having experienced sexual maltreatment within the school setting. In cases where participants were unable to self-complete surveys due to the nature of their disability, their caregivers completed the survey. Of their 352 respondents, 51.7% identified adults within the school setting as perpetrators (versus 48.3% who identified another student as perpetrators). They found that almost 70% of their 352 respondents reported having experienced sexual maltreatment "of a severe nature" (p. 362) at school, with 75% of their sample having reported that the sexual maltreatment occurred on multiple occasions. The types of sexual maltreatment reported included

inappropriate comments/jokes /gestures (68.5%), touching/rubbing (62.3%), exposing private parts (40.4%), forced intercourse (30.1%), and sexual pictures/photos (16.6%). The majority of school staff identified as perpetrators were teaching personnel, which included teachers, teacher assistants/paraprofessionals, and substitute teachers; with related service providers identified in 8.3% of incidents; followed by other nonprofessional school personnel (6.1%), and transportation (5.1%) and school administration (2.1%) staff. The researchers reported that their response rate was smaller due to their 60+ minute long survey, and they also felt there was a high likelihood that students with more significant cognitive and/or communication deficits were not captured in the study, as they were concerned that victimization of these types of students is much more likely to go unnoticed and unreported. They strongly recommended further study in this area.

### **Sexual Misconduct Definitions**

The term sexual misconduct has been used in policy and practice to describe anything from inappropriate comments to rape (Caldas & Betsy, 2014; Shakeshaft, 2004). For example, a definition of sexual misconduct adopted as policy by the Federation of State Medical Boards (2006) is as follows:

Physician sexual misconduct is behavior that exploits the physician-patient relationship in a sexual way. Sexual behavior between a physician and a patient is never diagnostic or therapeutic. This behavior may be verbal or physical, and may include expressions of thoughts and feelings or gestures that are sexual or that reasonably may be construed by a patient or patient's surrogate as sexual. (p. 1)

If one were to substitute the terms educator for physician, student for patient, and educational for diagnostic or therapeutic, it could also be the type of definition

that parents might assume would be a fitting parameter of the educator/student relationship for their child.

Shakeshaft (2004) defined sexual misconduct as “behavior by an educator that is directed at a student and intended to sexually arouse or titillate the educator or the child” (p. 2). Shakeshaft (2004) further elaborated using the Ontario (Canada) College of Teachers’ definition of educator sexual misconduct in her operational definition, as she felt it best encompassed the range of inappropriate behaviors that she wanted to include in her study. This definition includes:

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

The U.S. Department of Education, Office for Civil Rights (2018a), in their information pertaining to Title IX, used the terminology sex-based harassment, and:

requires schools to take steps to prevent and remedy two forms of sex-based harassment: sexual harassment (including sexual violence) and gender-based harassment [sic]. Sexual harassment is unwelcome conduct of a sexual nature. It includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual violence is a form of sexual harassment. Sexual violence, as OCR [Office for Civil rights] uses the term, refers to physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent. A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. (p. 1)



The operational definition of sexual misconduct for the purposes of this dissertation is the same as the one used by Shakeshaft (2004), as it encompasses the same concepts as the United States Department of Education definition, but the term sexual misconduct is in wider use among the literature pertaining to this issue versus sex-based harassment. Further, it is my opinion that harassment is often used to describe a situation that is ongoing. This perception of the use of harassment is also supported by the Merriam Webster definition of harass, which states “to annoy or bother (someone) in a constant or repeated way” (Harass, n.d.). Also, for the purposes of this study and similar to Shakeshaft’s (2004) study, the terms staff and school staff will pertain to all school employees executing school operations, including administration, teachers, related service staff, support staff, and volunteers; and the term student will be used in reference to any individual receiving special education services from a school staff person in a kindergarten–12 grade educational setting or placement.

### **Current Efforts to Protect Students in Schools**

#### **Federal and State Policies**

In 1972 Title IX was added as an amendment to existing education law for the purpose of prohibiting gender discrimination against students in public schools (U.S. Department of Education, Office for Civil Rights, 2014). Title IX has since expanded over the years to include protection of students from sexual misconduct by school personnel (Adams, 2014; Mainella, 2015; U.S. Department of Education, 2008), and all districts are required to identify their own Title IX coordinators who are responsible for assuring district compliance with all aspects of Title IX (Colorado Department of Education, 2017b; Meyer, Somoza-Norton, Lovgren, Rubin, & Quantz,

2018; U.S. Department of Education, 2015). In 2011, the U.S. Department of Education, Office for Civil Rights (2011) issued a “Dear Colleague” letter to districts to provide guidance specific to responding the sexual harassment of students, stating their position that “Schools are responsible for taking prompt and effective action to stop the harassment and prevent its recurrence. A school also may be responsible for remedying the effects of the harassment on the student who was harassed” (p. 10).

Following Shakeshaft’s 2004 study, the U.S. Department of Education declared that “it is critical that all school personnel know and understand the boundaries of appropriate behavior in order to prevent incidents or allegations of sexual misconduct” (U.S. Department of Education, 2008, p. 3). As stated by the Readiness and Emergency Management for Schools (REMS), Technical Assistance Center’s (2017) training guide for administrators and educators regarding addressing adult sexual misconduct in schools, “Training of school personnel is an integral part of ASM [adult sexual misconduct] prevention and response and should reinforce the school district’s documentation policies and procedures,” and goes on to include considerations for content, frequency, and target audiences.

### **Local Educational Agency Policy**

As mentioned above, districts are required to identify a Title IX coordinator, who is responsible for understanding Title IX regulations and knowing what to do if his or her school receives a complaint. Additionally, 48 states, including the selected western state, have listed school staff as mandatory reporters, requiring reporting of any suspected child maltreatment and providing training regarding procedures for reporting suspected abuse (U.S. Department of Health & Human Services, 2015). The Department of Education has also recommended that all schools include staff training

specific to preventing sexual misconduct within the school environment by both students and school staff and provide victim resources and comprehensive services for those who need it (U.S. Department of Education, Office for Civil Rights, 2011). They go on to recommend that preventative education programs be included as part of orientation for both students and school staff. However, despite these recommendations, a majority of districts nationwide have been slow to include this topic in any form and are inconsistent in their response when there is a complaint (Caldas & Bensy, 2014; Mainella, 2015; Shakeshaft, 2013).

Colorado is one of many states taking steps to support local districts in efforts to provide staff training to reduce incidence of staff-to-student sexual misconduct. For example, in conjunction with the Colorado Department of Safety, the Colorado Department of Education offers free trainings for Colorado districts by request, “designed for administrators, human resources professionals, school board members and any other interested parties” (State of Colorado, Department of Safety, 2017). Though not a mandatory training, it is available for free upon request.

### **Statement of the Problem**

The overall culture and climate of the social environment in school, ideally warm, educationally focused, safe, and abounding with hopes and expectations, cannot help but shape us (Broe, 2007). Potentially everyone plays a part in shaping a student’s daily, yearly, and even life-long sense of security and belonging, sense of self, and sense of empowerment. Conversely, even just one incident of sexual misconduct by an adult on a child, especially one in a role of care and authority, can be immense and may even have a lifelong psychological impact (Boyd, 2011; Broe, 2007; Fulgoni-Britton, 2009; U.S. Department of Education, Office for Civil Rights,

2008). Despite the legal protections under Title IX, employee screening at hiring, district policies, and repeated recommendations for staff training, the problem persists. Further, according to Surface, Stader, and Armenta (2014), the problem is only growing as communication between students and school staff has become more commonplace with the introduction of social media.

Specific to students with disabilities, while school staff have a legal responsibility to report suspected abuse, Mahony and Poling (2011) stated that without specific training regarding signs to look for specific to victims who are “unwilling or unable to reveal its occurrence, as may occur when the person has a severe disability, abuse often goes unnoticed and therefore not reported and investigated” (p. 373). As such, though Title IX protections and mandatory reporting policies apply to districts, even districts and staff with the best intentions may fail to intervene if they are ill-equipped to identify signs of abuse, particularly among more vulnerable student populations.

Further, despite strong and repeated recommendations for districts to include staff training that specifically addresses the issue of staff-to-student sexual misconduct (Caldas & Betsy, 2014; Dessoff, 2010; Krohn, 2014; Mainella, 2015; Nance & Daniel, 2007; Shakeshaft, 2004; U.S. Department of Education, n.d.a; U.S. Department of Education, 2008; U.S. Department of Education, 2017), many districts have not implemented training specific to this topic (Dessoff, 2010; Mainella, 2015; Nance & Daniel, 2007). Also, districts that are providing training to staff pertaining to this topic may not be providing it to all staff groups to whom this type of staff training is recommended. For example, teachers, substitutes, para-professionals, related service providers, bus drivers, and administrators were just some of the examples of

school staff that were identified by victims in the Caldas and Bensy (2014) study. Yet, as an example, administrators are the only ones from this list who are specifically included as a target audience in the Colorado Department of Education's training. This, of course, does not mean that the training is not available to others; however, without specific knowledge that these groups may benefit from staff training, districts that request the training may not think to include them.

Additionally, researchers are calling for staff training for those working with students with special needs that includes the unique challenges of identifying sexual abuse when working with students with cognitive impairment and/or significant communication limitations, such as those resulting from cerebral palsy, traumatic brain injury, and autism (Caldas & Bensy, 2014; Dessoff, 2010; Krohn, 2014). However, despite these recommendations, throughout my research endeavors, I have been unable to locate existing staff training that is specific to those working with students with special needs.

### **Purpose of the Study**

The purpose of this dissertation study is to (a) determine the percentage of school districts in a western United States state that include a staff-training program specific to reducing incidents of staff-to-student sexual misconduct and to whom staff training is being provided, (b) identify perceived barriers to providing staff training specific to this topic, and (c) to explore what, if any, qualities of a staff training program pertaining to prevention of staff-to-student sexual misconduct may be uniquely beneficial to staff serving students in special education.

As school attendance is mandatory for almost all children, including those in special education, it is important to assure that the school environment is as safe as

possible for all students. This study aims to fill a gap in the existing literature, as there is currently no information regarding the current percentage of districts that provide staff training pertaining to staff-to-student sexual misconduct in schools, as repeatedly recommended; and for those who are, what type of training it is and to whom it is being provided. Further, as indicated in the literature, to date there has been no indication that there was training that was specific to those working with students receiving special education services, despite the unique needs and increased vulnerability of this population in schools. To that end, this project investigated the following research questions in a selected western state:

- Q1 What is the prevalence and type of training specific to reducing/preventing incidents of staff-to-student sexual misconduct in school districts in a western United States state?
- Q2 When training is provided, and to which staff groups is that training being recommended or mandated?
- Q3 Are there perceived barriers to providing staff training that specifically addresses staff-to-student sexual misconduct in schools?
- Q4 What is participants' level of interest in staff training for preventing staff-to-student sexual misconduct specifically tailored for those working with students in special education?

## CHAPTER II

### REVIEW OF THE LITERATURE

In an effort to explore the issue of staff-to-student sexual misconduct in the school setting, a priority must be to better understand the scope of the problem among both general and special education students. Additionally, an understanding of current district practices, additional recommendations to prevent staff-to-student sexual misconduct, and identified barriers to incorporating prevention strategies would be helpful to gaining a greater overall understanding of how districts are addressing this issue and any obstacles they may face.

#### **Search Terms**

Google Scholar and Academic Search Premier databases were used to access published research articles. Peer reviewed only was used as a filter for journal databases. Additional Google searches resulted in current and relevant information available to the public, such as the U.S. Department of Education’s Readiness and Emergency Management for Schools (R.E.M.S), Technical Assistance Center, Colorado Department of Education, and Centers for Disease Control and Prevention websites.

The resulting span of research pertaining to this particular topic and included in this literature review ranges from 2001 to 2018. Interestingly, terms such as sexual misconduct in schools and educator sexual misconduct yielded very few (two and four “hits,” respectively); while school staff training sexual misconduct yielded many

(5,906). In both cases the terms were more general to schools, rather than student specific; however, the higher yield results included the addition of what might be called intervention terms (prevention and training), and in both cases many of the results were largely articles in professional trade periodicals directed at school administrators with related recommendations, rather than peer reviewed journals specific to the topic.

The articles supporting the exploration of this topic were found using the following inclusionary terms: educator sexual misconduct, sexual misconduct in schools, student victimization, and sexual misconduct prevention in schools. The term special education was added to each of the previous search terms, as were students with disabilities and disabilities. Additionally, Title IX, sexual abuse and school personnel, and sex education and disabilities also yielded articles of relevance to the topic.

The terms children, child, children with disabilities, sexual molestation, sexual abuse, and sexual victimization were excluded as they were too broad, capturing articles pertaining to the general population rather than producing school and student-specific results. As such, though there may have been articles relevant to this specific topic in the mix, it was evident that a large majority of these hits were not school specific, and results from these broader search terms were ignored in favor of more specificity. Four broad themes emerged from the literature: (a) prevalence of staff-to-student sexual misconduct in schools, (b) current practices, (c) practice recommendations, and (d) barriers to addressing the issue of staff-to-student sexual misconduct in schools. Each of these topics is discussed in detail below.



### **Prevalence of Staff-to-Student Sexual Misconduct in Schools**

In their presentation to the Association for the Treatment of Sexual Abusers, Shields, Benelmouffok, and Letourneau (2015) stated that 27% of girls and 5% of boys have experienced sexual abuse by the age of 18. However, consensus regarding the true prevalence of child sexual abuse has been challenging, as the majority of research in this area has focused on those who have been convicted of an offense. While information regarding the prevalence of sexual abuse based upon convictions is valuable, according to a report published by the Harvard Medical School (2010), only an estimated one in 20 incidents are even reported.

According to the Colorado Department of Human Services, Office of Early Childhood (2017), child sexual abuse is slightly higher in Colorado than the national average. They also concurred that child sexual abuse is “significantly underreported” (p. 1), but that based upon substantiated cases, 30% of those are between the ages of 0 to 6, 41% are between the ages of 7 to 12, and 29% are ages 13 and above. Further, in their brief regarding child sexual abuse prevention:

Almost one third of victims of child maltreatment served by Colorado Child Advocacy Centers are under the age of 6. The majority of these children are victims of child sexual abuse. Given this, it is recommended that prevention strategies be implemented with all adults that interface with children of any age, beginning in preschool. (Colorado Department of Human Services, Office of Early Childhood, 2017, p. 2)

The prevalence of abuse is much higher for those with disabilities.

Researchers consistently report that people with disabilities are victimized at two to three times the rate of those without a disability (Baladerian et al., 2012; Caldas & Betsy, 2014; Mahony & Poling, 2011; Mainella, 2015; McCormack, Kavanagh, Caffrey, & Power, 2005; Smith & Harrell, 2013), 4.6 times that for those with mental

health issues (Smith & Harrell, 2013), and as high as seven times that for those with intellectual disability (Krohn, 2014). For example, in a nationwide survey of people with disabilities, 70% of the 7,289 respondents reported having been victimized; 41.6% of which were sexual assaults, and more than 90% of those who reported being victimized reported having been victimized on multiple occasions (Baladerian et al., 2012). In addition, a meta-analysis funded by the World Health Organization and conducted by Jones et al. (2012) also found that children with disabilities are victimized at two to three times that of their non-disabled peers and are at greater risk of sexual abuse in all settings (i.e., home, school, care-facilities, daycare, etc.). Also, as mentioned above, the risk is seven times higher for those with intellectual disabilities than their non-disabled peers (Shapiro, 2018).

Type of disability in relation to victimization risk was not specifically analyzed for this particular paper; however, research indicates that there is correlation between the severity of disability and/or level of dependence. For example, in their meta-analysis of literature specific to those identified as having a developmental disability, Mahony and Poling (2011) found that the prevalence of sexual abuse increases as severity of disability increases. Similarly, in their report on *Disability and Health*, the Centers for Disease Control and Prevention (2016b) stated that as dependence increases, level of risk of victimization increases.

According to the National Center for Education Statistics (2016), approximately 13% of students in public education, ages 3 to 21, receive special education services, equating to approximately 6.5 million children and youth. With regard to school-based staff-to-student sexual misconduct, as mentioned above, Shakeshaft's (2004) study revealed a 10% victimization rate of students in

kindergarten–12 grade general education. And though it has been challenging to collect definitive information regarding the victimization rate of students in special education by school staff, researchers' repeated estimates that students with special needs are three to seven times more likely to be victimized may suggest that their risk of victimization may be as high as 30% to 70%.

As introduced in Chapter I, in a first-of-its-kind study attempting to better understand the nature of special education students' experience with sexual abuse in schools, Caldas and Betsy (2014) collected surveys from present and past special education students who identified as victims of sexual abuse in school either by self-report or caregiver report. In cases where victims were unable to self-complete surveys due to the nature of their disability, their caregivers completed the survey. They found that almost 70% of their 352 respondents reported having experienced sexual maltreatment “of a severe nature” (p. 362) at school, with 75% of their sample having reported that the sexual maltreatment occurred on multiple occasions. Of their total sample, 51.7% reported that the sexual maltreatment they experienced was perpetrated by a school employee, such as a teacher, school administrator, or related service provider.

## **Current Practices**

### **Employee Screening**

While most, if not all, school systems have prospective employees screened for prior criminal convictions, it is not effective at identifying whether a person has a history of sexually abusing children if they have never been caught and convicted (Shakeshaft, 2004, 2013). Further, screening methods are not capable of predicting who may engage in sexual misconduct in the future (Shakeshaft, 2004). Harvard

Medical School (2010) reported a growing consensus that sexual interest in children and/or youth is now considered to be a sexual orientation (rather than a disease or disorder) for which there is no cure. They also went on to state that the majority of people who perpetrate are never charged or convicted. As such, they indicated that the focus must be on protecting children and feel that the best strategy is preventing access and/or providing close supervision (Harvard Medical School, 2010).

### **Mandatory Reporting**

Most states have identified school staff as mandatory reporters, which requires that staff report any suspected abuse, sexual or otherwise. To that end, most school districts have incorporated mandatory reporter training for employees regarding signs of abuse and how to report suspected abuse. While this type of training is very important, researchers have repeatedly stated that it is not enough to address the specific issue of staff-to-student sexual misconduct (Adams, 2014; Boyd, 2011; Dessoiff, 2010; Mitchell, 2010; Nance & Daniel, 2007; Patterson & Austin, 2008; Shakeshaft, 2013; Skarbeck et al., 2009).

### **District Transparency**

A bill called the Safe Schools Reporting Requirements, statue 22-32-109.1(2) was enacted in which is stated that:

The board of education of the school district shall annually compile the [incident] reports from every school in the district and submit the compiled report to the department of education in a format specified by rule of the state board. The compiled report must be easily accessible by the general public through a link on the department of education's website homepage. The report must include, but need not be limited to, the following specific information for the preceding school year:

(IX) The number of acts of sexual violence on school grounds, in a school vehicle, or at a school activity or sanctioned event. Any information provided as a part of this subparagraph (IX) for the safe school reporting requirements must be reported as aggregate data and must not include any

personally identifying information. For the purposes of this subparagraph (IX), “sexual violence” means a physical sexual act perpetrated against a person's will or where a person is incapable of giving consent. (Findlaw, 2019)

Data regarding conduct issues is in fact locatable on the selected state’s department of education website as required. The first tab on the main website is SchoolView Data and Accountability, which, when hovered over, creates a drop-down menu. Selecting Data Center under Data Tools, one is directed to the SchoolView® Data Center. All schools in the state are listed and can also be located via a search feature. Once the desired school is selected, information regarding reported incidents can be found by selecting Students, then Conduct. Selected information is presented in summary, incidents, and actions. Incidents are reported by year, beginning with 2016. Categories include alcohol, destruction of school property, disobedient, marijuana, detrimental behavior, drug, and other code of conduct, and others depending on the school.

In an effort to determine how sexual misconduct would be reported on the SchoolView Data Center, I cross-referenced four reports of convictions to see how those incidents would be reflected on the schools’ respective conduct data page, the earliest of which was 2016. Two examples of these were the felony conviction in January, 2018 of a Grandview High security guard for child sexual exploitation (Halsne & Koeberl, 2018) and a 2018 report of a middle school teacher convicted of five counts of unlawful sexual behavior involving students (Phillips, 2018). On all four schools’ data lists, I did not see mention of any type of reference to any incidents of a sexual nature. In an effort to determine if these types of incidents are reported under a more general umbrella of the categories that was seeing reported, I contacted the Colorado Department of Education to ask how incidents of sexual misconduct are

reported. They stated that incidents of staff sexual misconduct are not reflected in school reported data, but that peer-to-peer sexual misconduct [that meets the reporting criteria] is.

### **Practice Recommendations**

In response to the problem, very specific recommendations have been created for districts by both agencies and researchers, including those resulting from Shakeshaft's 2004 study and the U.S. Department of Education's REMS, Technical Assistance Center (2017), most of which reflect and/or complement each other. For example, Chapter 3 of the REMS, Technical Assistance Center's (2017) *A Training Guide for Administrators and Educators on Addressing Adult Sexual Misconduct in the School Setting*, is a good example of what many researchers have recommended (see Appendix A).

Additionally, over the now-approaching 15 years since the Shakeshaft (2004) study, researchers and administrators have repeatedly echoed her recommendation for staff training that goes beyond the general mandatory reporting training to addresses the issue of staff-to-student sexual misconduct specifically (Broe, 2007; Caldas & Betsy, 2014; Colorado Department of Human Services, Office of Early Childhood, 2017; Mitchell, 2010; Shakeshaft, 2004, 2013; Skarbeck et al., 2009; Surface et al., 2014). Further, specific to students with disabilities, additional recommendations have been made, as their risk is higher due to factors of the nature of a student's disability (Mahony & Poling, 2011) and their greater likelihood of physical dependence (Caldas & Betsy, 2014; Centers for Disease Control and Prevention, 2016a; Mahony & Poling, 2011) and/or periodic isolation from peers (Caldas & Betsy, 2014; Mitchell, 2010). They include the following:

## **Training for Employees**

As reflected in the REMS, Technical Assistance Center, training guide, researchers are calling for districts to create an environment that conveys a zero tolerance position, including going beyond basic mandatory reporting guidelines to explicitly talking with all staff about the criminal and professional consequences associated with staff-to-student sexual misconduct, stating that this type of frank discussion can prevent incidents from happening (Broe, 2007; Mitchell, 2010; Shakeshaft, 2013; Skarbeck et al., 2009). According to the Colorado Department of Human Services, Office of Early Childhood (2017):

In Colorado, schools are encouraged to provide education to staff on identification of child sexual abuse and avail themselves of the multiple optional training courses. Many opportunities exist to bolster prevention opportunities including: mandating training for educators on both prevention and identification, in both K-12 settings, as well as early childhood settings; ensuring all kids have access to comprehensive health education; providing adequate funding resources for research based programming; address loopholes that allow perpetrators of child sexual abuse to work with children; and establish standards for safety in youth serving organizations. (p. 3)

In addition to staff training, Broe (2007) recommendeds that school leaders create a “Child Protection Team” (p. 5) consisting of a variety of in-house staff, such as the school’s Title IX coordinator and other school-based staff, such as the school nurse, counselor and/or psychologist, teachers, and/or speech, occupational and/or physical therapists. Further, Shakeshaft (2013) recommended a thoughtful approach to classroom design, such as visibility into all classrooms and reminding staff students should not be in non-school areas, such as a staff person’s car. She and others recommend that staff training that addresses these topics take place annually (Mitchell, 2010; REMS, Technical Assistance Center, 2017; Shakeshaft, 2013; Surface et al., 2014; U.S. Department of Education, Office for Civil Rights, 2018b), as

they feel it can not only help prevent a potential abuser from abusing; but can also empower potential observers with the tools to know what to watch for and how to report (Mitchell, 2010; Shakeshaft, 2013).

Reflective of the benefit of empowering observers, many researchers are also calling for school administrations to create a climate in which staff-to-student sexual misconduct is clearly addressed and not tolerated as outlined above; but also in which staff are knowledgeable and feel safe to report. For example, Broe (2007) recommended training staff specifically regarding the existence of the problem, increasing staff awareness of signs of “grooming” and student behaviors that may indicate the existence of an actual or potential problem, and establishing clear staff and student supervision policies and investigation and reporting policies. Grooming is a term used for strategies that an adult who is sexually interested in a student uses to gain trust and access to the student (Patterson & Austin, 2008). However, employees can be fearful of being mistaken and in his recommendations to school leadership, Mitchell (2010) stated that administration “must assure employees that it is better to risk being wrong, rather than to ignore a situation and allow a child to continue to be abused” (p. 104) and went on to state that school leaders are crucial to stopping what he refers to as an epidemic.

Specific to students with disabilities, Mahony and Poling (2011) warned that, while professionals who work with people with disabilities are also required by law to report suspected sexual abuse, as mentioned previously, they may fail to recognize that it is happening to a student if they are not specifically trained. They stated that communication and cognitive challenges with which many students with disabilities contend pose added challenges to identifying student victimization, as the student may



not have the awareness and/or ability to communicate it. They recommended training staff and caregivers specifically regarding appropriate staff conduct, what signs to look for to identify when abuse is taking place, and what steps to take if they have concerns. In addition, they too propose that formal training inherently conveys a culture of administrative awareness and willingness to pursue perpetrators, which they feel could preventatively dissuade someone from abusing within the school environment.

### **Communication with Caregivers**

Broe (2007) has specifically recommended that parents be provided information regarding the warning signs of educator sexual misconduct, including suspicious adult behaviors (i.e., grooming) and signs to look for if a child is being targeted by a school staff person. She even suggested conducting a parent orientation that discusses the topic specifically, what the school and district have put into place to combat the problem, and how to communicate with their child about the topic in general.

Specific to students in special education, Baladerian et al. (2012) recommended that parents be informed that their child is in fact at risk of sexual abuse, as they report that parents of children with disabilities are less likely than parents of non-disabled children to be aware that their child may be a sexual target. And both articles recommended that parents work with their child/children to identify some type of communication strategy of which the child can use should victimization ever occur (Broe, 2007; Baladerian et al., 2012). The Advocates for Youth (2016) website provides resources and information regarding developing communication strategies for parents of children who have cognition and/or communication

challenges. They also take the position that educators and other school personnel who know the child well, such as the child's school speech therapist, play an important part in helping to develop a communication strategy and provide resources and strategies to support their contribution to facilitating this type of communication as well.

### **Communication with Students**

In addition to communication with staff and caregivers regarding this topic, student education specific to school-based sexual misconduct has also been recommended. Researchers postulate that there would be an additional element of prevention by having a student body that is collectively aware of boundary expectations and reporting procedures, regardless of whether the perpetrator is another student or an adult (Mitchell, 2010; Shakeshaft, 2004; Skarbeck et al., 2009).

According to the bipartisan National Conference of State Legislatures (2016), all states have some type of public school sexual education curriculum component, which reportedly originated because of reports that almost 50% of students in high school report being sexually active, as well as high teen pregnancy rates; though teens represent only 25% of the sexually active population, they comprise half of all new cases of sexually transmitted diseases (Centers for Disease Control and Prevention, 2013). The presence of sexuality education within the public school system reaches 96% of girls and 97% of boys (Martinez, Abma, & Copen, 2010) and is uniformly intended to provide students with language and concepts of aspects of sexuality ranging from basic biology and physiology to distinctions between healthy physical relationships and sexual abuse. The intent is to provide students with concepts and language with which to understand concepts around sexuality, but also with which to self-advocate in the event of maltreatment (Future of Sex Education Initiative, 2012).

With regard to students with disabilities and sexual development and maturity, results from the United States National Longitudinal Study of Adolescent Health found no significant differences in the timing of early sexual experiences among teenagers with and without disabilities (Cheng & Udry, 2002; as cited in Magoon & Meadows-Oliver, 2011). In addition, most people with disabilities reach puberty within the same time period as those without a disability, typically between 8 ½ to 13 years for girls; and 9 to 14 years for boys (Murphy & Elias, 2006).

Despite the fact that students with disabilities develop similarly to their non-disabled peers, access to sexuality education for students with disabilities varies widely as they are either not included in the classes (Advocates for Youth, 2016; Barnard-Brak, Schmidt, Chesnut, Wei, & Richman, 2014; Gougeon, 2009), and/or the programs are not modified to make the content truly accessible to them (Advocates for Youth, 2016; Krohn, 2014; Mahony & Poling, 2011;). Researchers report that factors that influence access to sexuality education include administrators' and teachers' assumptions that it would not be helpful and/or relevant simply because of a student's disability (Barnard-Brak et al., 2014; Rohleder, 2010), parents excluding their child from participation due to discomfort with the topic (Agmon, Sa'ar, & Araten-Bergman, 2016; Barnard-Brak et al., 2014), and perceptions that a student's disability would prevent him or her from cognitively accessing the curriculum content, despite inclusion in the class and adequate modifications (Advocates for Youth, 2016; Agmon et al., 2016; Rohleder, 2010).

Researchers recommend that all students in special education have access to sexuality education, as it has the same potential as with their non-disabled peers to be beneficial to students, both as a general aspect of their overall human development and

to improve their safety and ability to self-advocate by providing them with concepts and language around issues of sexuality (Advocates for Youth, 2016; Agmon et al., 2016). In an effort to investigate whether the assumption that disability creates an inherent barrier to learning and utilizing concepts around sexuality education and safety, Dukes and McGuire (2009) investigated the knowledge and decision-making ability of those with intellectual disabilities around the topics of safe engagement in sexual experiences as well as self-protection from unwanted sexual involvement and found that information specifically tailored to this group could in fact have a potentially positive influence on outcomes in both areas. However, overall Mahony and Poling (2011) found that current sex education programs are failing at addressing the needs of people with intellectual disabilities and recommend involving people with intellectual disabilities in the development of sexuality programs in an effort to better tailor such programs. Researchers recommend that sexuality education be specifically modified as needed to assure it is presented in a way that it is understandable to the student (Murphy & Young, 2005; Shafsma, Kok, Stoffelen, & Curfs, 2017; Skarbeck et al., 2009) and went on to state that this access should be specifically guaranteed by including the provision of sexuality education for children with disabilities within their Individualized Education Programs (Mahony & Poling, 2011). Most importantly, the inclusion of students with disabilities in all aspects of education, as their general education peers are afforded, is a mandate under the Individuals with Disabilities in Education Act (Advocates for Youth, 2016; U.S. Department of Education, 2017).

### **Decrease Opportunity**

While it is true that one segment of those who target children are in search of ways to access them, researchers in this area are moving away from the idea that there

is a small portion of the population that are inherently child molesters, but rather that it is a crime of opportunity (Harvard Medical School, 2010). As such, the U.S. Department of Education, Office for Civil Rights (2018b) strongly recommends prevention strategies over punishment after the fact. Shakeshaft (2013) went on to make a specific distinction as she feels there is a different mindset and pre-disposition based upon student age groups, identifying those who have a sexual interest in students 12 and under as predatory versus those who have an interest in students in secondary education as opportunistic. According to Mitchell (2010) the problem is so pervasive that “everyone likely knows someone who is abusing children” (p. 102).

Mitchell (2010) argued that though one-on-one relationships between students and teachers can be nurturing and educationally relevant, administrators should seriously consider whether the benefits outweigh the risks. He advised significantly limiting one-on-one situations of any sort between students and teachers unless absolutely necessary. Also, as mentioned above, Caldas and Bensy (2014) found that the students at greatest risk for sexual maltreatment by school staff are those with developmental and cognitive disabilities, as they are more likely to be educated in more isolated settings. As indicated above, they recommended creating a climate in which staff-to-student sexual misconduct is clearly not tolerated and will not be ignored. Also, as there must be opportunity, it may stand to reason that a potential perpetrator may never act within a given environment if there is never an opportunity. To that end, as mentioned above, one of Shakeshaft’s (2013) recommendations was decreasing opportunity through thoughtful classroom design, indicating that working to strike a balance between a student’s privacy and dignity and staff supervision could help to reduce student victimization.

## **Decrease Student Dependence**

Lastly, The Centers for Disease Control and Prevention (2016a) reported that as dependence increases, level of risk of victimization, sexual or otherwise, increases. In addition to academic support, teachers and paraprofessionals in schools are often required to assist students with more severe physical and/or cognitive disabilities with aspects of self-help and hygiene throughout the student's school day (Stern, 2017). This can include assistance with feeding, diapering/toileting, hygiene, and dressing (such as for physical education). Thus, students with increased physical and/or cognitive challenges are reportedly at greater risk of being victims of staff sexual misconduct simply due to opportunity inherently created by their need for physical supports throughout their school day (Caldas & Bensy, 2014; Mahony & Poling, 2011).

Some levels of disability are extreme, resulting in dependence, one definition of which is:

a severe physical or mental impairment which seriously limits one or more functional capacities (such as mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills) in terms of an employment outcome; whose vocational rehabilitation can be expected to require multiple . . . services over an extended period of time; and who has one or more physical or mental disabilities (U.S. Legal, n.d.)

For those who are completely dependent, the aspects of staff training that would inform all caregiving staff of signs to look for identifying abuse, parent training, and environmental modifications to reduce the privacy required for victimizing are logically primary strategies for students who fall into this category. For the remainder who require varying degrees of support, it is the very nature of our jobs as special education professionals to promote growth in independence in the

students we serve. In the realm of special education, there are a multitude of ways in which to accomplish this, but specific to decreasing students' susceptibility to staff-to-student sexual victimization, helping students understand relevant concepts around sexuality and safety education at their level of understanding, as recommended above (Advocates for Youth, 2016; Murphy & Young, 2005; Shafsma et al., 2017; Skarbeck et al., 2009) is a first step. Additionally, special education teachers are front line in terms of the daily promotion of growth in both academics as well as well as basic life skills in students with special needs (Bureau of Labor Statistics, 2018b; Council for Exceptional Children, n.d.); however, there are other disciplines that can support and are uniquely qualified to help facilitate independence that could increase student safety with the added lens of decreasing this aspect of student vulnerability, including school psychologists/counselors, speech pathologists, occupational and physical therapists, and school nurses (Broe, 2007). For example, it is not uncommon for a school's occupational therapist and speech pathologist team to train special education staff on the topic and develop student-specific strategies for facilitating students' differing levels of development in dressing and toileting independence. Broe (2007) recommended that these same professionals can and should expand this type of training to include and communication around topics of sexuality, staff-to-student and peer-to-student discomfort, etc. An aspect of an occupational therapist's job is to train staff to help facilitate student independence in dressing and toileting, so this would not be an added responsibility, but rather an added relevance and urgency to an aspect of training they are already doing. With regard to speech pathologists, this would be an added focus to already full plates, but, again, a lens that adds a layer of relevance and urgency to the already important roles we all play in students' lives.

## **Barriers to Addressing the Issue of Staff-to-Student Sexual Misconduct in Schools**

Review of the literature indicates that district administrators' reasons for failure to specifically and effectively address this issue are three-fold: under-awareness of the risk and/or need, fear of public perception and litigation around the issue (Dessoiff, 2010; Krohn, 2014), and lack of awareness of the staff-training resources that are now available (Adams, 2014; Meyer et al., 2018). Also, specific to students with disabilities, public perception of people with disabilities is that they are child-like and non-sexual, leading policy-makers, educators, and parents to see no need to address this issue with certain student populations (Agmon et al., 2016; Barnard-Brak et al., 2014; Mainella, 2015).

### **Under-Awareness of the Risk and/or Need**

Our culture, like many, is often guilty of infantilizing people with disabilities, assuming that they are uninterested in or incapable of sexual activity, and even that they are not appealing so would not be sexually desired and/or victimized (Easter Seals, n.d.; Gougeon, 2009; McNutt, 2004). Skarbeck et al. (2009) warned that parents of children with disabilities often do not consider their child to be at risk of sexual abuse because they have a disability. However, Mahony and Poling (2011) reported that:

Negative stereotypes regarding people with intellectual disabilities and their sexuality appear to increase the likelihood of abuse and to reduce the probability that perpetrators will be accused, and if accused, found guilty in a court of law and justly sentenced. (p. 374)



## **District Fears**

Educator sexual misconduct is a threat to districts, as victims are entitled to collect monetary damages if the misconduct meets the legal criteria established under Title IX (Surface et al., 2014). For example, Shakeshaft (2013) determined that the average settlement from her review of teacher sexual misconduct settlements in California between 2002 and 2008 was \$2,723,000, with settlements ranging from \$892,000 to \$6,800,000. Dessoiff (2010) described the consequences of negative media coverage and financial liability resulting from educator sexual misconduct cases as potentially devastating. In fact, staff-to-student sexual abuse has warranted its own category of district insurance; an example of which is listed as “sexual misconduct (including sexual molestation) coverage for the institution” (United Educators, n.d., para. 6). According to Patterson and Austin (2008), some states/insurance companies have made staff training regarding this topic mandatory. St. Louis adopted a position that staff training regarding this issue is mandatory for all districts, and those who fail to do so can expect to pay a \$100,000 deductible on claim payments involving staff-to-student sexual misconduct (Dessoiff, 2010).

Further, Dessoiff (2010) stated that proactively training employees is critical to prevention and goes on to recommend that districts should also receive training specific to fielding news media in the event that an incident or accusation becomes public. He feels that, in addition to improving the overall ability of a representative to summarize what happened, it may make a district less reluctant to investigate an incident or report if they are less fearful of the possibility of media attention.

### **Lack of Awareness of Available Resources**

Despite the availability of a free staff training provided by the United States Department of Education and other staff training resources available that address this topic (Broe, 2007; Colorado Department of Education, 2017a; Dessoiff, 2010; Shakeshaft, 2013), according to Dessoiff (2010) many districts are unaware that there are resources available that address this issue. Resources in which districts may be interested, but of which they may be unaware, range from staff training to different types of sexuality education curriculum. Resources will not be covered for this paper, as the purpose has been to explore the initial research questions; however, Dessoiff (2010) provided a nice summary of resources for school and district administrators and the Stop Educator Sexual Abuse Misconduct & Exploitation (n.d.) website has a comprehensive list of current resources for administrators and educators, as well as families and victims of educator sexual misconduct. Specific to students with disabilities, the Center for Parent Information & Resources (2016) has links and resources for parents, and the Planned Parenthood (n.d.) and Autism Speaks (n.d.) websites are just two resources for curriculum resources specific to people with disabilities. And the Advocates for Youth (2016) website includes many resources for teachers who work with students with disabilities. Further, the Every Student Succeeds Act, which was enacted in 2015 to replace the previous No Child Left Behind Act, includes a block grant for schools that specifically lists child sexual abuse awareness and prevention programming as a recommended use of those allotted funds (Colorado Department of Human Services, Office of Early Childhood, 2017; National Council for Behavioral Health, 2019).

## Summary

Sexual abuse of children is a known problem affecting an estimated 27% of girls and 5% of boys (National Sexual Violence Resource Center, 2018; Office for Victims of Crime, 2018; Shields et al., 2015). Further, experts agree that estimates are far lower than actual incidents, as sexual abuse estimates are based upon convictions, and according to Harvard only an estimated one in 20 incidents are even reported (Harvard Medical School, 2010; National Sexual Violence Resource Center, 2018; Office for Victims of Crime, 2018). Further, the estimated prevalence of sexual abuse of people with disabilities is two to three times higher (Caldas & Betsy, 2014; Jones et al., 2012; Krohn, 2014; Mainella, 2015); however, this estimate likely also fails to reflect the true incidence, as experts agree that a high percentage of those with disabilities also have not reported, or worse, have been unable to report (Baladerian et al., 2012; Caldas & Betsy, 2014; Krohn, 2014; Smith & Harrell, 2013).

Though schools should be a reliably safe environment for all students, Shakeshaft, in her 2004 study for the United States Department of Education, found that 10% of students could expect to be victims of staff-perpetrated sexual misconduct at some point during their education. In their first of a kind study, Caldas and Betsy (2014) found that the rates of sexual misconduct by staff involving students with disabilities in school reflects the higher estimated rates above, of two to three times the rate of those without disabilities. These researchers and many others have repeatedly recommended that in addition to current practices of pre-screening candidates through finger-printing and basic mandatory reporting training for employees, schools must include staff training that specifically addresses the issue of staff-to-student sexual misconduct in schools.

Despite repeated recommendations throughout the literature calling for staff training specific to the prevention of staff to student sexual misconduct, there were no studies found exploring whether and how districts are addressing this issue in the manner recommended throughout the literature. This dissertation study fills a gap by determining the actual percentage of school districts within a western United States state that currently provide staff training that specifically addresses staff-to-student sexual misconduct, as repeatedly recommended in the literature. Further, it asks what, if any, perceived barriers exist to training staff on this specific topic among those districts, possibly providing agencies that support districts with an opportunity to specifically address those barriers. And lastly, it explores the level of interest among districts in a staff sexual misconduct prevention training developed specifically for staff-members working with students with disabilities. A staff-to-student sexual misconduct training that is specifically tailored to the unique duties required of those working with students with disabilities has not yet been developed, yet the estimates of staff-to-student sexual misconduct in schools combined with the increased victimization risk of those with disabilities suggests that this type of training is warranted.

## CHAPTER III

### METHODOLOGY

#### **Introduction**

This section outlines the method used, including survey development, procedures, and data analysis, as well as the rationale for selecting this approach used to answer the following research questions outlined in Chapter I:

- Q1 What is the prevalence and type of training specific to reducing/preventing incidents of staff-to-student sexual misconduct in school districts in a western United States state?
- Q2 When training is provided, to which staff groups is that training being recommended or mandated?
- Q3 Are there perceived barriers to providing staff training that specifically addresses staff-to-student sexual misconduct in schools?
- Q4 What is participants' level of interest in staff training for preventing staff-to-student sexual misconduct specifically tailored for those working with students in special education?

Two groups of participants ( $N = 177$ ) from the selected western state were asked to participate: Title IX coordinators and special education directors from all districts in the state. To answer these questions, a survey was developed which is also discussed in this chapter.

#### **Researcher Stance**

My personal interest in this topic originated from my own growing awareness of what seemed to be an increasing regularity of reports in the news about staff-to-student sexual misconduct in schools, including within special education. As an

occupational therapist, I train professionals who work closely with students who have varying degrees of physical dependence, cognitive impairment, and communication challenges. Believing that occupational therapists may have a unique role in helping to decrease students' risk through increased independence, I began pursuing information about this topic. It was quickly clear from the literature and continued reports in the news that this problem of student sexual maltreatment within the school setting has not yet been effectively solved, and students in special education are at greater risk than their non-special education peers. Yet, despite the now almost 15 years of recommendations throughout the literature for school staff training specific to the prevention of staff-to-student sexual misconduct, in my 15 years of school-based practice I have never encountered training specific to this topic beyond the basics of mandatory reporting. Also, true to the identified shortcomings of mandatory reporter training as mentioned above, none of the mandatory reporter trainings I have encountered as an employee have specifically mentioned school staff as possible perpetrators of abuse, nor have they specifically mentioned students with special needs as a group that is at risk.

### **Research Design**

In an effort to answer the above questions, this study's goal was to employ a total population, cross-sectional survey of two non-equivalent groups from all districts in a western state in the United States. The two groups of representatives that were invited to participate in the study were Title IX coordinators and special education directors.

An electronic survey design was chosen as the means for collecting the information from participants ( $N = 177$ ). The quantitative aspects of a survey design

afford uniformity in the line of questioning, such that all participants are being asked the same questions in the same manner (Creswell, 2014). Further, an e-mail survey questionnaire is currently a very common form of survey distribution and provides respondents with a greater level of anonymity than if being personally interviewed (Creswell, 2014). It also assures uniformity of the line of questioning among respondents such that the two groups' responses can be more easily and readily compared during analysis if desired (Creswell, 2014). Also, as outlined by Ponto (2015) additional benefits of a survey include greater economy in creation and distribution and potential for rapid turnaround, which is especially beneficial when attempting to reach a large population over a broad distance within a short timeframe. District administrators are busy people, and an online survey format allows for an opportunity to collect comprehensive data directly, efficiently, and broadly.

As mentioned above, primary goals of this study were to gather a numerative picture of the existing trend of staff training pertaining staff-to-student sexual misconduct within an entire state and to draw inferences from participants' responses regarding the entire state's level of interest in staff training specific to staff working with students in special education. Data collected were cross-sectional and collected via e-mail distribution as described in greater detail below. All communications were conducted electronically, including survey dissemination.

The purpose of collecting data from the two identified groups was to compare their knowledge of staff training practices specific to the topic of staff-to-student sexual misconduct within their district overall and to compare their knowledge of interest in staff training for those working primarily with students in special education.

This additional step of exploring what level of consistency exists between the two groups could generate additional directions for future research.

### **Target Population, Sampling Method, and Related Procedures**

#### **Target Population**

To accomplish the goals of this study, two groups were selected (a) district level Title IX coordinators from all school districts within the state and (b) district level special education directors from all school districts within the state ( $N = 354$ ). A “school district” is defined by the Merriam-Webster dictionary as “a unit for administration of a public-school system often comprising of several towns within a state” (School district, 2019). In the western state selected for this study, districts are comprised of both public and charter schools, and all districts are required to have identified Title IX coordinators.

**Title IX coordinators.** As mentioned in Chapter II, under the 1979 revision of Part 106 of the Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, all school districts are required to have an identified Title IX coordinator for the purposes of enforcing compliance with Title IX protections (U.S. Department of Education, Office for Civil Rights, 2014). Title IX coordinators are responsible for staying up to date regarding any changes to Title IX law, including the protection of students from staff-to-student sexual misconduct in schools. Specifically, as written in section 106.8(a) of the Title IX statute:

Each recipient shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under this part, including any investigation of any complaint communicated to such recipient alleging its noncompliance with this part or alleging any actions which would be



prohibited by this part. The recipient shall notify all its students and employees of the name, office address and telephone number of the employee or employees appointed pursuant to this paragraph. (U.S. Department of Education, Office for Civil Rights, 2011, (§106.8(a))

As such, it was appropriate to believe that this group would be knowledgeable about staff training pertaining to the topic of staff-to-student sexual misconduct and to which staff groups it is offered within their districts.

**Special education directors.** Special education directors are responsible for the training of staff who provide services to students receiving special education services in a school district, as well as assuring a safe and accessible learning environment for students receiving special education services. Thus, it was appropriate to believe that this group would be familiar with any staff training that may be provided, specifically to special education staff, including training to prevent staff-to-student sexual misconduct. Further, research suggests, there is a dearth of staff training materials specific to the prevention of sexual abuse of students in special education, despite students' increased vulnerability to both peer-to-peer and staff-to-student sexual misconduct. Their knowledge of current training practices specific to special education staff or their level of interest in training specific to special education staff could be a good indicator of the level of need for development of a training program specific to special education staff.

### **Sampling Method**

As mentioned above, the goal was to include representation from both groups from all districts within a selected western state. There are currently 177 school districts in the selected state. Attempt was made to obtain connection to participants through listservs obtained through the university and/or the Department of Education

for the selected state. However, the university did not maintain such a listserv and, though listservs for both the Title IX coordinators and special education directors reportedly exist at the selected state's Department of Education, the researcher was informed that they are for strictly for internal use and could not be shared. To circumvent this, the researcher located and downloaded The List of Colorado Districts (Colorado Department of Education, n.d.) from the state's Department of Education website as the master guide from which to seek representation from each of the two groups.

With regard to Title IX coordinators, as mentioned above, a listserv was not available; however, I found an online U.S. Department of Education resource of district Title IX coordinators that was last updated in 2017 (U.S. Department of Education, n.d.b). This resource had Title IX contact information for 161 of the 177 districts. Attempts were made to obtain the missing Title IX coordinator information by searching websites for the remaining 16 districts and then contacting them by phone; however, the researcher received one of two types of responses: (a) the district was currently in the process of filling the position, or (b) the phone contact was unaware of who their Title IX representative was.

With regard to special education directors, the selected state's Department of Education did provide information regarding a link available to the public on its website, titled "Find Your Special Education Director" for locating one's district special education director (Colorado Department of Education, 2018). This page included e-mail contact information for all of the districts' special education directors. One unexpected aspect of the special education directors list was that 40 districts had 1:1 special education director representation with the remaining 137 districts

represented by 16 special education directors. In the selected state, smaller districts can combine under a collaborative system called a Board of Cooperative Educational Services, the purpose of which is to most effectively and efficiently provide services among smaller districts (Colorado Board of Cooperative Educational Services, n.d.). Thus, a single special education director may oversee special education services for numerous school districts contained in a Colorado Board of Cooperative Educational Services. Of the 16 special education directors responsible for districts in a Colorado Board of Cooperative Educational Services, a special education director's coverage ranged from two to as many as 20 districts.

### **Related Procedures**

Following dissertation committee approval, the first step prior to any contact with participants, was to submit a summary of the study proposal to the university's Institutional Review Board (see Appendix B) for approval. The Institutional Review Board was promised that all data gathered from participants would be collected with informed consent (see Appendix C) and in full compliance with the university's Institutional Review Board guidelines. Further, the Institutional Review Board was also assured that participants would be informed that their individual survey responses would not be connected in any identifying way to them or their school district, nor released to anyone, and that data would be reported in aggregate only and not connected with individual participants (see Appendix B).

### **Instrumentation and Distribution**

As mentioned above, the purpose of this dissertation study was to (a) determine the percentage of school districts in a western United States state that include a staff training program specific to reducing incidents of staff-to-student

sexual misconduct, and to whom staff training is being provided, (b) identify perceived barriers to providing staff training specific to this topic, and (c) to explore what, if any, qualities of a staff training program pertaining to prevention of staff-to-student sexual misconduct may be uniquely beneficial to staff serving students in special education.

### **Survey Development**

One research instrument, a survey, was used to collect data from both groups. The survey was developed after an in-depth literature review and with the assistance of researchers with expertise in research methods and/or expertise in the content of the survey and was created using the Qualtrics web-based survey software tool. The first version was piloted with a non-participant special education director and a state-level expert in Title IX law and facilitator of district staff-to-student sexual misconduct trainings, neither of whom identified additional recommendations for survey changes. However, upon discovering that special education directors were not a 1:1 representation as the Title IX coordinators were, a slight variation on the survey needed to be developed for that group. Specifically, the research questions posed were the same for both groups; however, three introductory questions were asked of the special education coordinators to ascertain how many districts they represented, followed by the same research questions posed to the Title IX coordinators. The inclusion of these three additional initial questions was necessary to determine total district representation for later analysis and comparison between groups. The final content included in both surveys is described below (see Appendices C & D).

**Informed consent.** Section 1 of the final survey, the informed consent, outlined the purpose of the study and explained to participants how their responses

would be collected, protected, and reported and that they may voluntarily proceed to the survey by selecting Next.

**Operational definition.** In an effort to increase the likelihood that participants would respond to questions from the same frame of reference, Section 2 began with the operational definition of staff-to-student sexual misconduct used in Dr. Shakeshaft's original 2004 study and a request to use that definition as the frame from which to respond to the survey questions.

**Survey questions.** Questions were designed to explore current staff training in their district(s) specific to the reduction/prevention of staff-to-student sexual misconduct and to whom it is being provided; what, if any, perceived barriers exist to providing staff training specific to this topic; and whether participants would be interested in a staff training around this topic that is specific to those working with students in special education. Those who indicated serving more than one district were asked to think of one of their districts from which to respond to questions. The survey was designed such that all participants were guided to the four primary research questions, regardless of their responses to probe questions; however, depending on responses to probe questions, participants also would have been directed by Qualtrics Skip Logic function through a line of clarifying questions specifically relevant to their responses.

All participants encountered a minimum of four survey questions, plus demographic questions, regardless of Skip-Logic re-directs related to yes/no responses. Specifically, (a) do they currently offer a staff training specific to the topic of staff-to-student sexual misconduct (which corresponded to Research Question Q1), (b) are they interested in information regarding general staff training (which

corresponded to Research Question Q2), (c) are they interested in a training specific to staff serving students receiving special education services (which corresponded to Research Question Q4), and (d) what is their perceived level of knowledge on the topic of staff-to-student sexual misconduct. For example, if they responded no to the first three questions, all participants were directed to the question pertaining to perceived familiarity with the topic, followed by the demographics section, which closed the survey.

With regard to Research Question Q3, “are there perceived barriers to providing staff training that specifically addresses staff-to-student sexual misconduct in schools?”—this question was presented only to those who had responded that they currently offer training. Participants were then asked to select all that apply from a list that included the barriers identified in the literature: under-awareness of the risk and/or need (Krohn, 2014), fear of public perception and possible litigation around the issue (Dessoiff, 2010; Krohn, 2014), and lack of awareness of the staff training resources (Adams, 2014).

Those who responded positively to the above questions encountered additional clarifying questions. For example, if they answered yes that they currently provide this type of training, they were prompted to input the name of the training they provide, followed by to which staff groups is the training provided, such as administrators, general education teachers, special education teachers, direct student support staff (such as paraprofessionals), related service professionals, etc. This was then followed by how often the training was offered/required. For those who responded that they currently do not offer training specific to this topic, they were prompted to respond to two follow up questions pertaining to whether they were

interested in a general training on the topic for staff and/or training specific to staff serving students with special needs.

Those who indicated an interest in a training specific to staff working with students with special needs (Research Question Q4) were prompted to a question asking them to select all that apply with regard to topics, such as strategies for identifying signs of abuse with students who are non-verbal or cognitively impaired, creating a school climate in which staff feel comfortable reporting concerns and knowing that an investigation will be handled responsibly and with discretion”; “universal design techniques for reducing opportunity, writing Individual Education Plan goals that address students’ abilities to identify and/or report unwanted behavior (by staff or peers), etc. These were followed by additional qualifying questions, such as participants’ preferred method of training delivery (such as online or in-person), frequency, and whether the training is optional or mandatory.

**Demographics.** Lastly, all participants were asked the following demographic questions: title of their position, number of years in current position, in which of five regions of the state their district is located, their gender, highest degree completed, and additional licenses or certifications they hold relevant to their job. For the purposes of simplicity of comparison during data analysis, participants self-identified by title (Title IX coordinators and special education directors) from a drop-down menu. The survey was designed to require approximately 10 minutes for completion.

**Validity.** Survey questions were crafted based upon information and/or recommendations from the literature, including the recommendations from previous researchers for annual staff training on this topic (e.g., Mitchell, 2010; Shakeshaft, 2013; Surface et al., 2014), needs, such as the lack of prevention efforts that are

special education specific (Mahony & Poling, 2011), and identified barriers to training. For example, Research Question Q1 was crafted to gather information regarding current staff training practices pertaining to this topic within their own districts. The goal of Research Question Q2 was to explore participants' perceptions of barriers that may influence the inclusion of staff training pertaining to the topic of the prevention of staff-to-student sexual misconduct, of which offered selections were taken directly from the literature, with an option for participants to write-in other as desired. Research Question Q3 explored respondents' level of interest in a training specific to staff working with students in special education, as the literature indicates that students with special needs are at greater risk of victimization. And the goal of Research Question Q4 was to ascertain participants' self-perceived level of knowledge regarding the topic of staff-to-student sexual misconduct.

Validity is the degree to which an instrument measures what it is intended to measure (Creswell, 2014). As such, all research questions were developed based upon the knowledge of current training practices and barriers from extensive review of the literature. The survey was reviewed by experts knowledgeable about the field and/or survey creation, including a university professor and expert in special education Dr. Shakeshaft, author of the original study commissioned by the United States Department of Education on staff-to-student sexual misconduct, the researcher's dissertation proposal committee, and a university expert in research and survey design. Changes were made to survey content and design based upon experts' feedback, such as clarifying questions' meaning; adding options, such as don't know, adding additional demographics questions, and making changes to the flow of the overall survey.



**Reliability.** Reliability refers to the consistency with which an instrument obtains the desired information over time (Creswell, 2014). This was a newly developed survey, as there were no other surveys found in the literature to answer this project's questions. This includes the original 2004 study commissioned by the United States Department of Education and conducted by Dr. Shakeshaft, which was not survey research of staff training efforts, but rather a meta-analysis of publicly reported information to determine the scope of the problem of staff-to-student sexual misconduct. Thus, the reliability of this survey instrument has not been tested. However, as mentioned above, prior to dissemination the survey was reviewed by both content and survey development experts in an effort to boost both validity and reliability.

### **Survey Distribution**

The above mentioned publicly available e-mail contact information was compiled into two e-mail lists using Excel spreadsheets devoid of any other identifiers. As mentioned, the goal was to include representation from all school districts within the selected state ( $N = 177$ ); however, the final e-mail list compilations consisted of 161 district Title IX coordinators, equating to representation of 161 districts and 62 special education directors, equating to representation of 177 districts (see Appendices D & E). Interestingly, challenges to identifying and obtaining contact information for Title IX coordinators were discussed in a recently published study in which the researchers reported:

We generally could not find anything related to Title IX coordinators on the district websites or the information was often incorrect. Because of the OCR guidance which states this information should be easily accessible, we conducted deeper website searches to see if and where the Title IX coordinator information was located on the websites. (Meyer et al., 2018, p. 7)

Similar to their study, the compiled 161 Title IX coordinator e-mails included additional efforts to obtain the missing 16 e-mails, as the aforementioned United States Department of Education Title IX coordinator list was helpful but did have missing contact information for districts. Additional efforts to find coordinators included conducting deeper website searches and calling the districts directly; however, these efforts only yielded a few additional e-mails. One factor, which likely contributed, is that the lists for this research study were compiled during summer break when many district staff were on break, and in some cases the available staff either did not know who their Title IX coordinator was or their district was in transition with staffing and in the process of filling the position in preparation for the new year.

Additional effort was made to reduce the likelihood that e-mails would be rejected by district firewalls. Firewalls are a strategy that school districts and many other organizations use to block unwanted and unsafe cyber access to employees' e-mail accounts (Cisco, n.d.). Parameters can be set to block types of e-mail addresses that would be more likely to be coming in for the purposes of direct marketing or phishing. In an effort to address this potential problem, the e-mails were sent to recipients from a faculty's university e-mail address rather than a personal e-mail account or using the Qualtrics distributions; it was believed that the study's e-mails would be less likely to be rejected by district firewalls if they came from a .edu address rather than from a .com address. Further, the likelihood of the receivers opening the e-mail is also increased.

An e-mail to participants consisting of a short introduction e-mail) was blind-copy e-mailed to the two final group lists of Title IX coordinators ( $n = 161$ ) and special education directors ( $n = 62$ ). It included a brief statement of the topic being explored, how confidentiality and anonymity would be maintained, and that their responses would be used to improve staff training on this important topic with the ultimate goal of increasing overall student safety within the school environment (see Appendix F). The introduction e-mail included the link to each groups' respective survey, which began with a form further explaining the study and explaining that clicking on next and proceeding to the survey would be deemed as their consent.

Of those sent, 22 of the 161 Title IX coordinator and three of the 62 special education director e-mails were returned as undeliverable. Efforts were made to assure that there were not errors in the original e-mail address and two were resent but also returned. As such, the original e-mail with survey link was thought to have reached 139 Title IX coordinators and 59 special education directors. In addition, the same recipients received a follow-up e-mail two weeks after the initial survey. In an effort to boost response, a third e-mail was sent to all recipients with a final request for participation and a one-week extension, totaling a 5-week survey window. At the close of the survey period, surveys from 28 of 139 Title IX coordinators (20%) and 18 of 59 (30%) special education directors had been received. Table 1 below outlines the steps followed in this study.

Table 1

*Summary of Procedures*

Step	Procedure
1.	Institutional Review Board application submitted for approval.
2.	Survey created in Qualtrics web-based survey software with the assistance of the university's research department.
3.	Survey sent to non-participant Title IX expert, non-participant special education director, and author of the original 2004 U.S. Department of Education commissioned study, Dr. Shakeshaft, and non-participant university expert in special education for feedback regarding ease of survey completion and overall wording and understandability of survey questions.
4.	Survey revisions made based on the feedback.
5.	E-mail addresses for Title IX coordinators and special education directors obtained for all that could be found (challenges as described in detail in Chapter III) via the western state's Department of Education website, the U.S. Department of Education website, individual district sites, and phone calls to districts.
6.	Survey modified to address the discovered district representation discrepancy between groups, with no changes made to the remainder of the created expert-reviewed survey.
7.	E-mailed initial e-mail with link to consent and survey to district Title IX coordinators and district special education directors.
8.	Two weeks from original e-mail, sent follow-up e-mail reminder/request to complete survey if had not done so, and thanking those who had for their participation and reminding them that their participation will be of benefit to all. As participants were not to be individually tracked or identifiable, all original recipients received the follow-up e-mail. Recipients were advised that data collection would close in two weeks from the date of the e-mail.
9.	Third e-mail sent with one-week extension in an effort to boost response.
10.	Upon closure of data collection time frame, collected survey responses were downloaded from Qualtrics into SPSS for analysis.
11.	Data analysis: <ol style="list-style-type: none"> <li data-bbox="412 1457 1224 1482">a. Closed-ended questions were analyzed using measures of central tendency.</li> <li data-bbox="412 1486 1365 1537">b. The two groups' responses to the primary survey questions were compared to analyze the correlative agreement between groups.</li> <li data-bbox="412 1541 1321 1591">c. Participants' responses to supplemental questions were also compared to analyze the correlative agreement between groups.</li> </ol>
12.	Results and Discussion sections were written.
13.	All invitees were e-mailed a summary of results and information regarding how to obtain a copy of the completed dissertation

### **Data Collection and Analysis**

Upon closure of the survey window, the Qualtrics survey data were imported into the Statistical Package for Social Sciences, version 24, for statistical analysis. As discussed, the survey is comprised of four primary research questions, each with anywhere from two to four<sup>4</sup> clarifying questions that followed. Participants were directed to the corresponding follow-up questions depending on how they responded to the primary research questions. The quantitative analysis and subsequent results were comprised of participants' individual responses to each survey question, and comparative data pertaining to the primary survey questions were also analyzed. The purpose of comparing responses from the two groups on these questions was to determine if there are significant differences between their perception of the scope of the problem of staff-to-student sexual misconduct in their district, their knowledge of current staff training specific to the topic of staff-to-student sexual misconduct within their district, and their level of interest in a staff training tailored specifically for special education staff. For example, as I was unaware of each district's staff training practices, I was unable to assess accuracy of reported staff training available in each participant's district; however, by comparing the two groups, my goal was to assess the level of congruency between the two groups in their knowledge of what staff training was currently taking place. Further, hypothetically speaking, finding that the two groups are congruent in their knowledge of current training, but incongruent in their level of interest in training that is specific to staff in special education may prove to be a relevant topic for discussion. Findings will guide any relevant discussion around these comparisons.

Table 2 outlines how the research procedure was conducted and how the data analysis corresponds to the four primary research questions.

Table 2

*Data Analysis Plan*

Research question	Sample question from survey	Data analysis
Q1. What is the prevalence and type of staff training specific to reducing/preventing incidents of staff-to-student sexual misconduct in school districts in a western U.S. state?	Do staff receive training beyond a general overview of Mandatory Reporting that specifically addresses the issue of staff-to-student sexual misconduct? Yes/no	Descriptive analysis of the participant's responses to the closed ended question.
Q2. When training is provided, to which staff groups is that training being recommended or mandated?	To which staff-groups is staff-to-student sexual misconduct prevention training reaching? Please mark all that apply	Descriptive analysis of participants' responses to the options provided.
Q3. When training that is specific to preventing staff-to-student sexual misconduct is not provided, what are the perceived barriers?	The literature indicates that when there is <u>not</u> a staff training program specific to staff-to-student sexual misconduct in districts, it may be due to one or more of the following reasons In your opinion, please check any/all that apply with regard to barriers that you perceive may influence the inclusion a staff training program on prevention of staff-to-student sexual misconduct	Descriptive analysis of participants' responses to the options provided.
Q4. What is participants' level of interest in a staff training for preventing staff-to-student sexual misconduct specifically tailored for those working with students in special education?	Staff who work with students in special education classrooms are often responsible for tasks that are unique to serving students in special education (such as assisting students with toileting) and serve students with cognitive and communication deficits. Some districts have expressed interest in a staff sexual misconduct training that is specific to situations that are often unique to special education. Would you be interested in a sexual misconduct training specifically tailored for special education staff? Y/N	Descriptive analysis of participants' responses to the options provided.  Analyze percentage of participants that indicate interest.  Comparison <u>between</u> groups to explore if there is any difference in level of expressed interest between groups.

To accomplish the task of compilation and analysis, Quantitative data from Qualtrics was imported into the Statistical Package for Social Sciences, version 24, for analyses. All responses were aggregated and there were no personally identifiable data. Each participant was assigned a numerical code for reference. As recommended by Cone and Foster (2006), I reviewed the study purpose and questions and created a list of the variables to compare in preparation for data analysis and then first analyzed the data's characteristics, followed by analysis of the relationships between data for the purpose of answering all study questions. Specifics of the results are described using descriptive statistical analysis of the data and also presented using tables and graphs when determined appropriate. As there was no manipulation of variables, but rather just analysis of results within the two groups and also comparison of results between groups, a correlational design was most appropriate (Cone & Foster, 2006). Responses to follow-up and supplemental question were also analyzed and reported, with relevant discussion presented in chapter V

## CHAPTER IV

### RESULTS

As stated previously, the purpose of this dissertation study was to explore how districts in a selected state have responded to recommendations to include staff training specific to the prevention of staff-to-student sexual misconduct. The specific questions designed to explore this research topic were:

- Q1 What is the prevalence and type of training specific to reducing/preventing incidents of staff-to-student sexual misconduct in school districts in a western United States state?
- Q2 When training is provided, to which staff groups is that training being recommended or mandated?
- Q3 Are there perceived barriers to providing staff training that specifically addresses staff-to-student sexual misconduct in schools?
- Q4 What is participants' level of interest in staff training for preventing staff-to-student sexual misconduct specifically tailored for those working with students in special education?

This chapter discusses the results of the study.

#### **Participants**

Thirty-four Title IX coordinators responded to the survey; however, six of those opened and closed their surveys without responding to survey questions. Thus, they were not included in analysis, resulting in a total of 28 completed surveys. This response rate equates to representation from 16% of the state's 177 districts; though, after consideration of the final 161 compiled e-mail list, minus those that were returned as undeliverable ( $n = 139$ ), 20% of those who received the survey completed



it. Eighteen special education directors returned surveys; however, one respondent only responded to one question and was excluded from analysis. The majority of the demographic information for both groups is outlined in Table 3:

Table 3

*Participant Demographic Information*

Demographic	Title IX coordinators ( <i>n</i> = 28)		Special education directors ( <i>n</i> = 17)	
	<i>N</i>	%	<i>N</i>	%
Gender:				
Female	11	39	13	76
Male	13	46	3	17
Other	0	---	0	---
No response	4	14	1	.05
Number of years in current position:				
1-5 years				
6-10 years	11	39	7	41
11-15 years	2	7	6	35
16-20 years	9	32	2	12
21+	4	14	2	12
No response	1	4	0	---
	1	4	0	---
Selected primary professional title:				
Title IX Coordinator				
Special Education Director	9	32	1	5
Other				
No response	3	11	15	94
	13	46	1	12
	4	14	0	---
Educational level:				
PhD or other terminal degree				
Masters	6	21	4	24
Bachelors + graduate courses	15	54	11	64
Bachelors				
No response	2	7	0	---
	1	4	0	---
	4	14	2	12
Region in which district is located:				
Central				
Southeast	6	21	9	53
Southwest	6	21	1	5
Northeast	6	21	3	18
Northwest	5	18	1	6
No response	1	4	2	12
	4	14	1	6

## Participant Demographics

Please refer to Table 1 above for the majority of demographic information collected. However, with regard to primary title of their current position, participants were also presented with a write-in question on which they were asked to list licensure/certifications they held that were relevant to their current position. Participants who responded indicated that they held anywhere from one to four license/certifications, which are presented in Table 4:

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Table 4

*Additional Licensures Held by Title IX Coordinators*

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Licensure name	No. of participants who hold ( $n = 28$ )	%
Principal	12	42
Superintendent	7	25
State Administrator	5	18
Teacher	5	18
State Special Education Director	2	7
School Counseling, Licensed Professional Counselor	2	7
Special Education Generalist	1	3
Special Education Specialist	1	3
Special Services Provider	1	3
Library Science	1	3
Childcare Director	1	3
No licenses; just training	1	3
Did not respond to this question	4	14

---

Of those who responded to a drop-down question asking in which region of the five provided region options their district is located, nine were central, one was southeast, three were southwest, one was northeast, and two were northwest. As such, there was at least one representative from each of the region options provided.

### **Special Education Directors**

Seventeen invitees completed surveys, 11 of whom indicated they served only one district, and six reported representing multiple districts and included the number of districts they served by numeric entry. The resulting total district representation was 53 districts, equating to representation of 30% of the selected state's 177 districts.

### **Participant Demographics**

Again, please see Table 3 above for the majority of demographic information. With regard to licensure, as indicated, 15 participants answered this question, 100% of which identified their primary title as Special Education Director; one of those also indicated the individual was also the Title IX coordinator and other (this person did contact via e-mail to indicate that the person only completed one survey, of which is not known; however, it was helpful to know the participant did not complete both). One selected other solely. Similarly, the special education directors' group was also presented with a write-in question on which they were asked to list licensure/certifications they hold that are relevant to their current position (see Table 5).

Table 5

*Additional Licensures Held by Special Education Directors*

Licensure name	No. of participants who hold ( <i>n</i> = 15)	%
State special education director	15	100
Special education generalist	6	40
Principal	3	20
Colorado administrator	1	6
ELL (English language learner)	1	6
GT (gifted and talented)	1	6
SLP (speech/language pathology)	1	6
Elementary educator	1	6
Special education specialist	1	6

Similar to the Title IX group, participants reported holding between one to four license/certificate types.

#### **Analysis of Survey Responses by Research Question**

Because data collection was blind, it is not known how many districts had representation from both groups. For example, determining if a district's Title IX coordinator and special education director represented the same district and responded similarly to training questions was not possible with this study's design. Further, to accommodate for the multiple district representation of many of the special education

director participants, the results in this section are reported by number of districts rather than number of participants. It was determined that this would give a more accurate picture of training practices among districts in the selected state, which is the overall intent of the study. However, the number of respondents from each group is also provided as a population statistic within each table's group representation label as this could be helpful in further illuminating both groups' responses.

### Research Question Q1

- Q1 What is the prevalence and type of training specific to reducing/preventing incidents of staff-to-student sexual misconduct in school districts in a western United States state?

Table 6 illustrates the prevalence of training.

Table 6

*Prevalence of Training by Number of Districts Represented*

	Title IX coordinators/ districts ( <i>n</i> = 28)	%	Special education by districts ( <i>n</i> = 53)	%
Yes	18	64	14	26
No	8	29	25	47
Don't know	2	7	14	26

**Title IX coordinators.** Five of the 18 coordinators that reported current training also provided the title of training provided. Face-to-face trainings that were specified as being used were Colorado Self Insured Pool and self insurance [*sic*] pool

and personnel from Colorado School Safety Resource Center. Online trainings that were specified were Sexual Harassment for Employees JJ Keller Videos and Colorado School Districts Self Insurance Pool Adult Sexual Misconduct Training Video.

Of the 18 Title IX coordinators who reported current training, 15 reported that this type of training is mandatory, one selected other, and one did not respond.

Twelve Title IX coordinators reported that it is offered annually, and three reported every other year, as needed, and some annual and some less frequent. Fifteen Title IX coordinators reported interest in information regarding training pertaining to this topic, five of whom report that they were providing it already.

**Special education directors.** Four respondents, representing a combined total of 14 districts, reported that they offer training specific to the topic of preventing staff-to-student sexual misconduct; 11 respondents, representing a combined total of 25 districts, reported that training on this topic is not offered; and three respondents, representing a combined total of 14 districts, reported that they did not know. Of the 14 districts that offer training, three respondents, representing a combined total of 12 districts, reported that training is offered annually and in a face-to-face format. The fourth respondent reported that, of the eight districts for which the respondent was responsible, two offered training on this topic and is offered upon hire and is mandatory.

When asked to specify what trainings they were utilizing, one special education director responded “by contracted provider, such as Colorado Department of Education or other provider” and also stated that they offer training by a school employee, such as principal or administrator, with a component that focuses on employee-to student-sexual misconduct. A second special education director reported

“CSDSIP [Colorado School Districts Self Insurance Pool] provides the training—title is unknown,” a third mentioned “social workers provide to BOCES [Boards of Cooperative Educational Services] staff,” and the fourth selected “by a school employee, such as a principal or administrator with a component that focuses on employee-to-student misconduct, comments on policy at the beginning of the year and sharing of policy and materials.”

Of note, one special education director who serves eight districts reported that two of their districts train staff on this topic. As such, for district representation purposes, only two of that participant’s districts were included in the count of districts that offer training, and the remaining six were included in the count of districts that do not. Also, it is tempting to calculate the responses to arrive at a total number of districts that are or are not training; however as mentioned above, because there is no way to know if respondents from the two groups are from the same district, this type of calculation could not be accurate or meaningful. However, from this data it can be determined that 64% of responding districts in the Title IX coordinator category are offering training specific to this topic, 18% are not, and .07% do not know. In the number of represented districts in the special education category, 26% of responding districts are offering training specific to this topic, 47% are not, and 26% do not know. As noted above, respondents represented 28 Title IX coordinators and 53 special education directors of the total 177 districts within the selected state. As such, this indicates that of the total number of districts in the selected state, at least 10% of districts represented by Title IX coordinator respondents, and 7% of special education directors indicated that training specific to the prevention of staff-to-student sexual misconduct is offered. Again, it cannot be assumed that this would be a total of 17%

of districts, as it is unknown if or how many respondents in each group are overlapping and may represent the same district.

### **Research Question Q2**

Q2 When training is provided, to which staff groups is that training being recommended or mandated?

Those who reported that they currently offer training specific to the prevention of staff-to-student sexual misconduct received Research Question Q2, and participants were instructed to select all that applied to their respective district. Their responses are presented in Table 7.

Fifteen of 18 Title IX coordinators who had reported that they offer training chose to answer this question, and two bypassed the question. Fifteen reported that their training is mandatory, one selected other, and one did not offer a response to this question. All four of the special education directors who reported that training on the topic of staff-to-student sexual misconduct is provided, representing a total of 14 districts, also reported that the training is mandatory in the districts in which it is provided.



Table 7

*Staff Groups to Whom Staff-to-Student Sexual Misconduct Prevention Training is Reaching, by Number of Districts*

Staff group	Title IX coordinators ( <i>n</i> = 18)	Special education directors by No. of districts ( <i>n</i> = 20)
Administrators (such as principals, vice-principals, directors, coordinators)	15	12
Human resources personnel	8	12
General education teachers	15	12
Special education teachers	15	12
Direct student support (such as para-professionals/instructional assistants)	15	12
Related services (such as physical therapists, nurses, speech therapists, occupational therapists)	9	14
Indirect student staff (such as office and custodial staff)	13	12
Volunteers	2	0
School board members	4	0
Other	0	1

### Research Question Q3

- Q3 Are there perceived barriers to providing staff training that specifically addresses staff-to-student sexual misconduct in schools?

With regard to Research Question Q3, the 11 Title IX coordinators who had responded that they were not interested in training, and the two who had skipped that question were not presented with this question, as the Qualtrics Skip-logic feature had been programmed to direct them to whether they would be interested in a training specific to special education staff. Similarly, special education directors who had not answered in the affirmative to whether they were interested in receiving training were also not presented with this question. The rationale for not exploring this question with all participants, as well as possible benefits of having programmed the survey to explore this question with all participants, is discussed in Chapter V. The survey question was a select all that apply, such that participants could select any and all that they felt were barriers. Additionally, the provided selections were taken from the literature, with an option to add their own in-case they were experiencing a barrier that had not been mentioned in the options.

Of those who were presented with this select all that apply question, both groups ratings were remarkably similar, with time constraints selected most frequently, followed by don't know where to find resources, and thirdly, financial constraints (see Table 8).

Table 8

*Participants' Perceived Barriers to Providing Staff Training, by Participant*

Barrier	Title IX coordinators ( <i>n</i> = 15)	Special education directors ( <i>n</i> = 8)
Public backlash	3	1
It doesn't happen in our district	1	2
Don't know where to find resources	9	4
Financial constraints	7	4
Time constraints	11	7
Other	0	0

**Research Question Q4**

- Q4 What is participants' level of interest in staff training for preventing staff-to-student sexual misconduct specifically tailored for those working with students in special education?

The percentage of represented districts interested in training specific to prevention of staff-to-student sexual misconduct specific to staff who serve students with special needs is 50% of represented districts in the Title IX coordinator group and 52% of both respondents and districts represented by the special education director group. Also, as districts cannot inherently have interest in a topic, participant responses are shown for both groups. However, as many of those in the special education group represent multiple districts, the number of districts that are influenced

by participants' level of interest is also shown. For example, the nine participants who expressed interest in training collectively represent a total of 28 districts (see Table 9).

Table 9

*Interest in Staff Training for Special Education Staff, by Participants and Number of Districts*

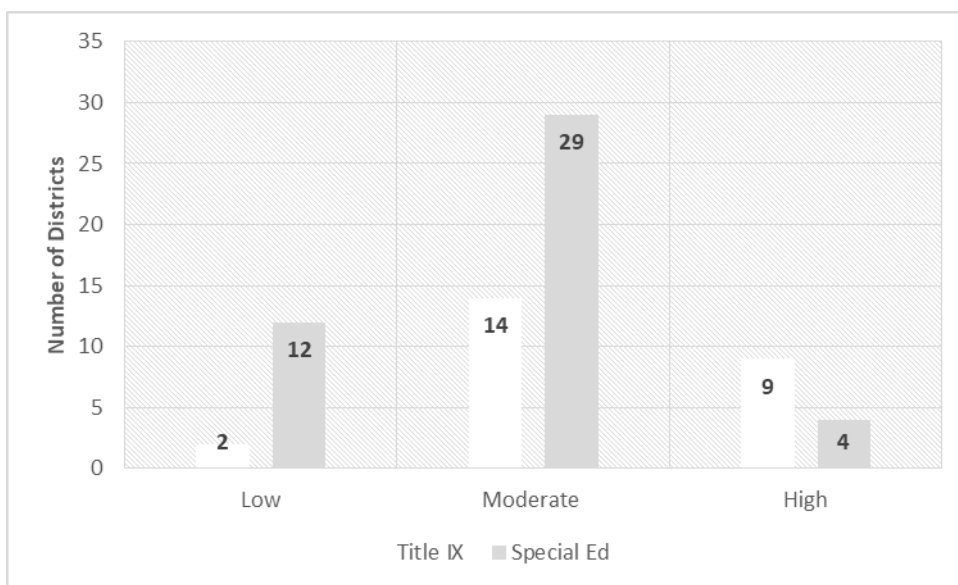
Response	Title IX coordinators ( <i>n</i> = 28)	Special education directors ( <i>n</i> = 17)	Special education district representation ( <i>n</i> = 53)
Yes	14	9	28
No	12	7	17
No response	2	1	8

### Supplemental Analysis

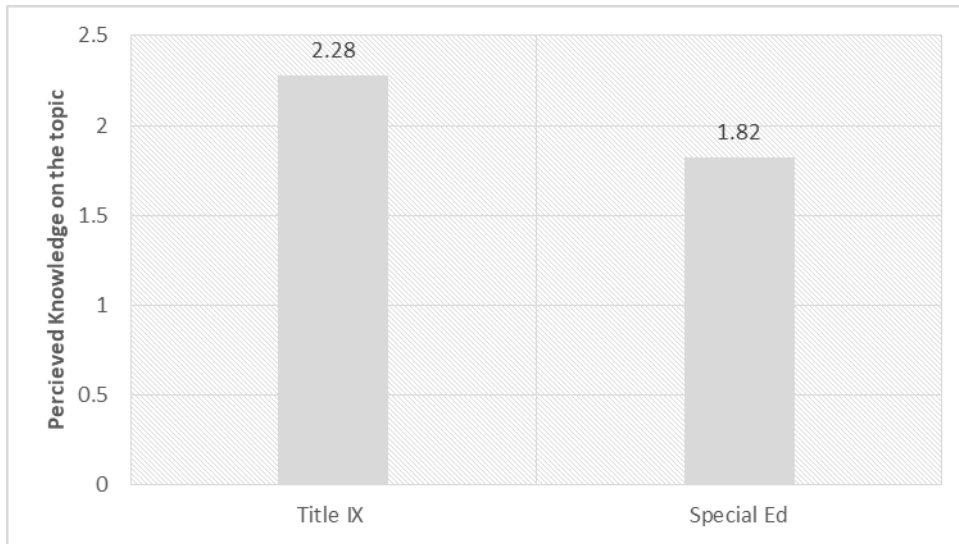
#### Knowledge of the Topic

Participants' self-reported level of knowledge regarding the topic of staff-to-student sexual misconduct was explored in a Likert-scale question: low, medium, and high. Also while districts cannot in themselves be knowledgeable, the following information is also represented by both participants and districts in the case of special education directors, as one respondent may represent many districts. For example, a respondent who represents eight districts reporting a moderate level of knowledge on the topic is counted as one respondent, but also as eight districts.

Figure 1 depicts the level of self-reported knowledge by number of districts represented by participants and then by mean comparison of knowledge of the number of districts by group to accommodate for the discrepancy in number of districts represented by each group. Three participants in the Title IX group did not respond to this question, and one of the special education directors who represented eight districts did not respond to this question. Thus, the number of districts represented in the following graphs is Title IX coordinators ( $n = 25$ ) and special education directors ( $n = 45$ ). The means comparison (see Figure 2) was added to show that while Figure 1 suggests on first look that there is a great disparity between groups, the means comparison shows that this discrepancy is not as dramatic.



*Figure 1.* Level of knowledge regarding staff-to-student sexual misconduct reported.



*Figure 2.* Mean of reported number of districts reported level of knowledge from Figure 1.

### **Training**

As reported above, participants' current staff training practices pertaining to this topic were explored in Research Question Q1. All participants were also asked if they are interested in staff training on the topic of preventing staff-to-student sexual misconduct. Their responses are shown in Table 10.

As presented in Table 7, districts are also presented as interest pertains to individuals; however, in the case of special educators, in some cases as many as 10 districts are influenced by an individual participant. For example, of those who express an interest in training, only six participants are a 1:1 representation of director to district.

Table 10

*Interest in Staff Training for Preventing Staff-to-Student Sexual Misconduct Non-Specific to Special Education*

Response	Title IX ( <i>n</i> = 28)	Special education ( <i>n</i> = 17)	Special education by No. of districts ( <i>n</i> = 53)
Yes	15	9	23
No	11	8	30
No response	2	0	0

For the purpose of exploring if there was any relationship between groups on their responses, typically a chi-square test of independence would be performed; however, a large enough percentage of cell sizes were small enough to warrant using the non-parametric Fisher exact test instead. This non-parametric test was run to explore these questions:

- Is there a relationship between professional role (i.e., Title IX coordinator and special education director) and reported level of knowledge on the topic of staff-to-student sexual misconduct?
- Is there a relationship between professional role and level of interest in staff training on the topic of preventing staff to student sexual misconduct in schools?

- Is there a relationship between professional role and level of interest in staff training on the topic of preventing staff to student sexual misconduct in schools that is specific to special education?

The Fisher Exact test did not find significance in any of the above questions, with resulting  $p$  values of .373, .1, and .1, respectively. These questions were selected for exploration hypothesizing that based upon their responsibilities as Title IX coordinators, this group would have shown a higher level of knowledge than the special education directors group and also a greater interest in training on this topic for all staff. Secondly I wondered if special education directors might show a significantly higher interest in training on this topic that is specific to special education staff, which was not the case. However, though these relationships were not reflected in these analyses, other information pertaining to these questions was gleaned and is discussed in Chapter V.

### **Knowledge and Training**

Tables 11 and 12 are a summary of participants' responses by group to Research Questions Q1 and Q4 and the supplemental analysis questions of self-reported level of knowledge of the topic of staff-to-student sexual misconduct and level of interest in a general training, calculated by number of districts served.



Table 11

*Title IX Coordinators' Reported Level of Knowledge on the Topic Compared with Other Study Questions (n = 28)*

Response	Reported level of knowledge on topic	Q1 Currently provide training		Interested in general training on topic for staff		Q4 Interested in training specific to special education staff	
		No/don't know	Yes	No	Yes	No	Yes
Low	2	2	1	1	1	0	2
Moderate	14	4	9	5	9	6	8
High	9	3	5	5	4	6	3
No response	3	4		3		3	

Table 12

*Special Education Directors' Reported Level of Knowledge on the Topic Compared with Other Study Questions, by Number of Districts (n = 17)*

Response	Reported level of knowledge on topic	Q1 Currently provide training		Interested in general training on topic for staff		Q4 Interested in training specific to special education staff	
		No/don't know	Yes	No/don't know	Yes	No/don't know	Yes
Low	3	3	0	2	1	2	1
Moderate	10	8	2	6	4	3	7
High	3	1	2	2	1	2	1
No response	1		1		1		1

As indicated, the majority in both groups reported a moderate level of knowledge on the topic. As might be hoped due to the nature of the position, the greater number of high-level reported knowledge is reported by the Title IX coordinators' group as, of the two groups, they are the group that is supposed to have familiarity with aspects of policy and procedure around this topic. Of those who responded, a greater percentage of Title IX coordinators report that training around this topic is currently being provided in their districts (63%), while 26% of special education directors reported that there is training on this topic in their districts. Though not shown, both groups had low don't know responses,  $n = 2$  in the Title IX coordinator group and  $n = 3$  in the special education director group. With regard to

interest in a general training for staff pertaining to the prevention of staff-to-student sexual misconduct, of those who responded, 56% of Title IX coordinators responded yes versus 44% responding no; of special education directors who responded, 33% selected yes and 66% selected no. Finally, of those who responded, 52% of Title IX coordinators and 62% of special education directors indicated interest in staff-to-student sexual misconduct prevention training specific to staff working with students in special education.

### **Special Education Training Interests**

Lastly, participants who had indicated an interest in a staff-to-student sexual misconduct prevention training that is specific to staff who work with students with special needs were asked to rate high, medium, or low interest in six training topics. Similar to the barriers to providing training question, the training topics that were offered were those that have been specifically recommended in the literature, as outlined in Chapter II. A rating was prompted for each training topic, and participants' responses are shown in Table 13 (as reflected in the table, all 13 of the Title IX respondents did not respond to all selections).

Table 13

*Interest in Components of Training Specific to Staff Working with Students with Special Needs, by Number of Districts*

Training topic	Title IX coordinators ( <i>n</i> = 13)			Special education directors ( <i>n</i> = 28)		
	L	M	H	L	M	H
Strategies for identifying signs of abuse, such as with students who are nonverbal and/or cognitively impaired	1	5	6	0	1	27
Strategies for creating a school climate in which staff feel comfortable reporting concerns, knowing that an investigation will be handled responsibly and with discretion	1	5	6	2	11	15
Classroom physical design strategies that can both reduce the opportunity for staff-to-student sexual misconduct and also decrease staff vulnerability to false accusation	1	10	2	1	6	21
Writing Individual Education Plan (IEP) goals that address students' ability to identify and/or report unwanted behavior (by staff and/or peers)	4	6	2	3	15	10
Strategies for modifying student reporting information at levels that students who are non-verbal and/or cognitively impaired can access	5	5	3	1	9	18
Strategies for supporting parents of students with disabilities through increasing awareness of reporting procedures and general risk awareness	0	10	2	1	18	9

*Note.* L = low, M = medium, H = high.

Interestingly, only two questions had full participation from the Title IX coordinator participants;; however, the remaining questions were one participant short. Title IX coordinators were more likely to select moderately interested, though overall, their selected level of interest in all categories was never lower than 61% moderate to high interest. With regard to special education coordinators, interest was very high for identifying signs of abuse (96%), and in no component did interest drop below an 89% moderate to high level of interest. Discussion and recommendations regarding participants' interest in a staff-to-student sexual misconduct prevention training, including level of interest in components are discussed in Chapter V.

## CHAPTER V

### DISCUSSION

The primary purpose of this study was to understand the current training practices specific to staff-to-student sexual misconduct in general and special education. The following research questions guided this exploration:

- Q1 What is the prevalence and type of training specific to reducing/preventing incidents of staff-to-student sexual misconduct in school districts in a western United States state?
- Q2 When training is provided, to which staff groups is that training being recommended or mandated?
- Q3 Are there perceived barriers to providing staff training that specifically addresses staff-to-student sexual misconduct in schools?
- Q4 What is participants' level of interest in staff training for preventing staff-to-student sexual misconduct specifically tailored for those working with students in special education?

All Title IX coordinators and special education directors in a selected western United States state were invited to participate in this study. Sixteen percent of Title IX coordinators and 29% of special education directors statewide, participated.

Additionally, an interview with a convenience-sampled district administrator, who was also a Title IX coordinator, following data collection provided an additional interpretive lens. The findings of this study shed light on current training practices, interests, and barriers to recommended training and possible directions on which to focus efforts to address this important issue. A discussion of the synthesis and

analysis of findings, study limitations, and recommendations for future are presented below.

## **Synthesis and Analysis of Findings**

### **Staff Training**

As discussed in Chapter II, staff training that is specific to the topic of prevention of staff-to-student sexual misconduct has been recommended by many researchers since Shakeshaft's 2004 study (Broe, 2007; Caldas & Betsy, 2014; Colorado Department of Human Services, Office of Early Childhood, 2017; Mitchell, 2010; Shakeshaft, 2013; Skarbeck et al., 2009; Surface et al., 2014); however, previous researchers found that districts have been slow to incorporate this type of training (Caldas & Betsy, 2014; Krohn, 2014; Mainella, 2015; Shakeshaft, 2004; U.S. Department of Education, 2017). This study identified a somewhat mixed trend. As indicated in Chapter IV, encouragingly, more than half (64%) of Title IX coordinator participants reported that training of this type is happening in their districts. However, in the special education directors' group, only 26% of districts represented reported that their districts are training on this topic.

Five of the 15 Title IX coordinators and two special education directors, representing 10 districts between them, who indicated that they currently provide training, also indicated that they are interested in training. Though not definitive, this may suggest that a percentage of those who are providing this type of training are also interested in finding out if there are additional and/or different resources available to them. Also, of those who reported that training is being provided in their districts, participants' responses to Research Question Q2 indicated that when it is being provided, the most common staff groups receiving it are administrators, general

education teachers, special education teachers, direct student support, and indirect student support. This suggests that when training is provided, those providing it recognize there is a benefit to reaching many staff groups.

### **Level of Knowledge About Staff Training**

As reported in Chapter IV, the majority in both groups reported a moderate level of knowledge on the topic. Also, the greater percentage of high-level reported knowledge is in the Title IX coordinators group, which was anticipated, as they are the group that is required to have familiarity with aspects of policy and procedure around this topic. Though only one Title IX coordinator and two special education directors reported low knowledge on the topic, both groups may benefit from additional information regarding this topic, especially as it pertains to students with cognitive and/or communication impairments.

Interestingly, those who reported low knowledge also indicated that training on this topic is not offered in their districts and also expressed low interest in both types of training. As such, for this and other training decisions, it may indicate a benefit to exploring the relationship between knowledge about a topic and perceived level of need for training and interest in training.

### **Level of Interest in General Staff Training**

Fifty percent of Title IX coordinators and 30% of special education directors indicated interest. Regarding the comparatively low interest among special education directors in a general staff training on the topic, the Title IX coordinator interviewed post data collection speculated that while both groups do arrange for staff training, special education directors would not normally arrange for staff training to the district



at large. Another factor they speculated may have influence level of interest in both groups is that staff training is often commonly determined by recommendations made by district legal counsel. Further, time constraints may influence people's interest in training.

### **Level of Interest in Staff Training for Staff Working with Students with Special Needs**

Just over 50% of participants in both groups indicated an interest in staff training specific to staff working with students with special needs. As it stands, however, a 50% level of interest in staff training specific to those working with students in special education still reflects recognition of a need in this area.

In a follow-up discussion with a school district administrator regarding my data, the administrator speculated that participants in both groups may have also felt that staff training is "not my area; that's HR's responsibility." In my experience, that does ring true, as at the beginning of the year, mandatory trainings have in-fact been scheduled and conducted by the human resources department. As such, it would be interesting to further explore who is responsible for staff-training decisions and how they make their decisions regarding staff training.

### **Components of Interest for Staff Training for Special Education Staff**

Those who expressed an interest in a special education staff-specific training for the prevention of staff-to-student sexual misconduct received the six, select all that apply supplementary question assessing level of interest in components of such a program as recommended in the literature. In both groups, information regarding composing Individualized Education Program goals specific to students' ability to

identify and/or report incidents of unwanted behavior (by staff and/or peers) was most heavily weighted as moderate interest. Components that had the highest weight for both groups were:

- Strategies for identifying signs of abuse among students who are non-verbal and/or cognitively impaired.
- Strategies for creating a school climate in which staff feel comfortable reporting concerns, knowing that an investigation will be handled responsibly and with discretion.

Special education directors were also highly interested in (a) classroom physical design strategies that can both reduce the opportunity for staff-to-student sexual misconduct and also decrease staff vulnerability to false accusation, (b) strategies for modifying student reporting information at levels that students who are non-verbal and/or cognitively impaired can access, and (c) and strategies for supporting parents of students with disabilities through increasing awareness of reporting procedures and general risk awareness.

### **Perceived Barriers to Training**

Both groups of participants' ratings were remarkably similar in weight, with time constraints selected most frequently, followed by would like to provide training, but do not know where to find resources, and financial constraints, respectively. As stated previously, the literature indicates that district administrators' reasons for failure to specifically and effectively address this issue are three-fold: (a) under-awareness of the risk and/or need, (b) fear of public perception and possible litigation around the issue (Dessoff, 2010; Krohn, 2014), and (c) and lack of awareness of the staff training resources (Adams, 2014). As lack of knowledge had also been mentioned as a factor

that affects whether staff training on a topic is offered, a supplemental question asking participants their perceived level of knowledge on the topic (low, medium, or high) was posed in this study and is discussed later in this chapter.

With regard to fear of public perception, only three of 15 Title IX coordinators and one of eight special education directors selected this as a barrier, which was unexpected in light of the Dessoiff (2010) and Krohn (2014) studies mentioned that district fears of litigation and public perception are factors in districts' slow movement to address this issue. However, this could be a positive indication that district administrators are less fearful or concerned that public backlash stands in their way of addressing a problem such as this. Ultimately, the top three selected perceived barriers were the same for both groups: (a) time constraints, (b) lack of knowledge of where to find training resources to address this topic, and (c) financial constraints.

Interestingly, one Title IX coordinator and two special education directors selected that staff-to-student sexual misconduct does not happen in their district. If they are correct about this, I am primarily interested to know how they can be confident that it is not. However, none of the three reported that they currently provided training specific to this topic in their districts, and the Title IX coordinator and one of the two special education directors did express interest in a staff-to-student sexual misconduct prevention training specific to staff working in special education.

### **Low Response to Survey**

The response rate is further discussed below; however, considering the nature and importance of a topic such as this, I was surprised by the low response to the survey by both groups. Specifically, I anticipated that Title IX coordinators would have an investment in the findings in relation to their responsibility for addressing

issues of sexual misconduct and that special education directors would have a higher level of participation due to their knowledge of the unique issues and challenges of working with students with special needs. The low response rate in this study may be related to lack of time discussed above; however, lack of knowledge about the scope of staff-to-student sexual misconduct affecting students in general and special education is a factor in level of investment in participating.

### **Limitations**

#### **Survey Research**

Though survey research affords the benefits outlined in Chapter III, such as convenience and the ability to uniformly and easily reach large group, it does have limitations as well; two of which are response bias and self-report bias. Specifically, response bias can influence response rate, as invitees who feel the survey topic is important may be more likely to respond (Mazor, Clauser, Field, Yood, & Gurwitz, 2002). Secondly, as explained by Donaldson and Grant-Vallone (2002) in their research on self-report bias, “research participants want to respond in a way that makes them look as good as possible” (p. 247). As such, they may exaggerate responses, positively or negatively, in directions they feel would be looked upon favorably by the researcher(s), fellow participants, and/or the reader. In the case of this survey, it is highly likely that self-report bias affected participants’ responses to this survey. For example, a Title IX coordinator might feel uncomfortable reporting low knowledge on the topic of staff-to-student sexual misconduct, as this would be an area of which they should be knowledgeable.

## Limited Participation

According to Andrea Fryrear (2015) of Survey Gizmo, a standard expectation of response rate for e-mailed survey research is 30% to 40% internally (such as within an organization), and 10% to 15% externally. They identify four primary factors affecting response, most of which explain customer response; however, perceived benefit, demographics, and survey distribution do seem relevant to this type of project:

- Customer Loyalty: Do the respondents feel a connection to the brand conducting the survey? A high level of loyalty will lead to a higher number of responses.
- Brand Recognition: A survey distributed by a well-known brand gets more responses than one coming from an unknown source.
- Perceived Benefit: Whether it's getting early access to results or being entered into a raffle, most respondents need to clearly understand the benefit of completing a survey.
- Demographics: Some sections of the population are simply more likely to respond to survey invitations than others.
- Survey Distribution: If your audience consists mostly of digital natives, sending out links via social media will net you some good response rates. If you're surveying retirees, you may want to choose an alternative distribution method. (Fryrear, 2015, p. 1)

As such, the final Title IX coordinators' response rate of 20%, though below what was hoped, is actually above what would be expected of an external group.

Also, the response rate of special education coordinators reached almost as high as that of an internal survey. The three contact attempts (an initial, a follow-up, and a final) with participants, which is also a recommended strategy for survey research by Cone and Foster (2006), did in fact boost the response rate by small but necessary increments.

Anecdotally, the idea of convening a focus group of Title IX coordinators to explore why their response rate was lower than hoped for was explored with a convenience-sampled administrator/Title IX coordinator post data collection. They

agreed to a phone interview and were asked not to disclose if they had completed the survey, but only to help with understanding whether a focus group might be feasible and/or helpful to better understanding the lower response rate of this group as well as gaining a deeper understanding of participant responses. In their opinion, the reason for the lower response rate among Title IX coordinators to researchers' requests in general is primarily related to lack of time. Similar to the non-participant special education director who piloted the survey, this coordinator felt that this is a topic Title IX coordinators are expected to be knowledgeable about and address, such that the topic itself would not have been a deterrent to opening and/or completing the survey. Also, they felt that ultimately, while district firewalls likely had some impact, the primary reason people likely did not respond is that "too much junk comes in."

They concluded that an attempt to convene a focus group would likely be perceived as pestering following the three e-mail attempts for survey completion and that it would not shed light on the question of low response rate, as only those coordinators who have time to assemble would participate, which in itself would more than likely be those who had also completed the survey. Therefore, the interviewed Title IX coordinator felt that focus group participants' input regarding why their colleagues had not completed the survey would not be applicable to Title IX coordinators at large. Additionally, in their opinion, the factors that have the greatest influence on Title IX coordinators' choices of training are "time, availability, and consequence." Specifically, that lack of time is a primary barrier to exploring and/or implementing trainings, but also that what is readily available to those making these types of decisions is more likely to be used, and lastly, with referring to consequence,

they stated, “when was the last time someone was arrested and convicted [of staff-to-student sexual misconduct]?”

This position may not be surprising in light of other concerns that districts face, such as gun violence that have life-or-death consequences and garner immense publicity. While there have been convictions reported in the local news as recently as 2018 (Halsne & Koeberl, 2018; Phillips, 2018), compared with other incidents that schools must field, if only 1/20 incidents are ever reported and if convictions are a measure of urgency to address an issue, this is likely to continue to be a low consequence problem. In particular, for students who are unlikely to identify and/or report when they have been a victim of staff-to-student sexual misconduct, measures to protect this group are even less likely to rise to the level of attention.

Further, with regard to Title IX coordinator participation rate, as mentioned in Chapter III, Meyer et al. (2018) encountered similar challenges obtaining contact information for Title IX coordinators. Of the 86 districts in California and 32 districts in Colorado that met their sample criteria, they had an 11% response rate, resulting in 10 participants. Their goal was to explore Title IX coordinators’ knowledge of their Title IX role as well as other aspects of external support for, and evaluation of, their Title IX duties and performance, and found that their participants reported spending “0-10%” of their time on their Title IX role (p. 8). Their participants also unanimously reported that they had not attended a specialized training pertaining to their Title IX role, nor are they evaluated on their performance specific to this role. The findings of their study would have influenced this study, including survey construction, on which I elaborate further in survey construction; however, their study was published after I had begun data collection and was not discovered until I was

conducting additional review of literature in reference to my findings. It does lend support for the lower than expected response rate in this study.

### **Survey Construction**

While many changes were made prior to disseminating the survey, hindsight revealed changes that would likely have improved clarity for participants and gathered better depth and clarification of participants' responses. Those identified are outlined below:

**Participant's title.** Though Title IX coordinator is a mandated representative in all districts, it is not actually a title, but rather an assigned role. As mentioned above, Meyer et al. (2018) explored Title IX coordinators' role and some of their respondents reported issues including not even being aware of their Title IX role until as much as a year into having been assigned that role. Additionally, the participants stated that that they lacked a thorough understanding of the scope of their Title IX responsibilities and support to fulfill their Title IX duties, and, as mentioned above, that they reported spending zero to 10% of their time on their Title IX role. They found that coordinators' knowledge of the scope of Title IX was limited and that when they were acting in that role, it was often reactive rather than proactive tasks:

Some experience it like a game of "hot potato" where the coordinator role lands in someone's job duties for various reasons that don't appear to be strategic or systematic. . . . A lack of defined expectations or dedicated time to the job role can lead to spending less time on proactive responsibilities such as providing training to faculty and staff, participating in Title IX professional associations, and attending workshops related to Title IX and civil rights topics. (Meyer et al., 2018, p. 9)

As such, the drop-down identifier for special education director or Title IX coordinator may have been addressed differently. For example, while the phrasing of this question was likely appropriate for special education directors as that would be



their primary title, a more appropriate selection for Title IX coordinators might have been something like I am the Title IX coordinator, in consideration of the likelihood that their title is actually something different.

**Survey question three: Perceived barriers to training.** In hindsight, survey question three seeking information about participants barriers to training should have been presented to all participants, rather than only to those who indicated that they are currently training and/or are interested in training. While it was initially presumed that those who would indicate that they are not interested in training would have felt that way because they do not feel that it is necessary and, therefore, may also not feel that there are barriers, it would have been interesting to see if any of those respondents are not interested in training because of something like time or financial constraints, rather than a true lack of interest.

Additionally, while the question as presented yielded interesting and relevant information that reflected what previous researchers and administrators have put forth as barriers; it would have been interesting to have had participants rank order their responses. Rank order may have provided additional information, not just that a majority selected time constraints, but also whether they felt that it was the number one barrier. Without that component, it is difficult to make the leap that it is in fact the number one perceived barrier in the minds of participants; however, based on the fact that it was identified by the greatest number in both groups indicates that regardless of its rank, lack of time is perceived as problematic.

**Survey question four and supplemental general training question.** In addition to being asked whether they currently provide training specific to the topic of staff-to-student sexual misconduct, all participants were also asked (a) if they are

interested in general staff training on this topic, and (b) if they are interested in this type of training specific to staff working with students with special needs. Additional open-ended follow-up questions to participants who responded no to these questions would have provided participants the opportunity to elaborate as to why they are not interested and thus revealed the purpose for not seeking training opportunities. For example, is it that they are already providing training and feel that it is sufficient? Is staff training not their responsibility and, therefore, not within their control? Do they not feel a need for training on this topic? Are other barriers later identified (such as time and/or financial constraints) influencing their interest in training? Without this type of opportunity, the no response suggests a lack of interest in, and/or perceived need for, training, which may in fact be the case; however, an opportunity for elaboration could have exposed additional perceived barriers to providing training.

**Additional participant groups.** Lastly, expanding the scope of the participant group to include other administrative groups that are responsible for selecting district staff training, such as human resources personnel, district legal counsel would likely have resulted in additional relevant information regarding current staff training, needs, and interests.

### **Recommendations and Future Directions**

As stated by Deputy Secretary of Education, Eugene W. Hickock, as an introduction to Dr. Shakeshaft's 2004 study:

The Department believes that this topic is of critical importance and that releasing the report is clearly in the public's interest. The overwhelming majority of America's educators are true professionals doing what might be called the "essential" work of democracy. The vast majority of schools in America are safe places. Nevertheless, we must be willing to confront the issues that are explored in this study. We must all expand our efforts to ensure

that children have safe and secure learning communities that engender public confidence. (p. 2)

This call to action, now over 15 years old, is still very relevant. This study was exploratory and has confirmed the need for addressing issues identified by previous researchers, but has also unveiled some opportunities that had not been identified. Both are discussed below.

### **Policy and Practice Considerations**

**Remove perceived barriers to district level training.** While the interviewed Title IX coordinator's explanation for the low response rate is frustrating; it is honest, likely accurate, and it helps to explain why in the almost 15 years since Dr. Shakeshaft's recommendations, there has been slow movement within and among districts to thoroughly address this issue. Finding time to address this issue among a competing list of priority concerns within districts appears to be a true barrier. However, another primary concern and contributing factor is the lack of support provided to Title IX coordinators as found in the research conducted by Meyer et al. (2018). The Title IX coordinator role is extremely important to the prevention of sexual misconduct of any sort within a school system (U.S. Department of Education, 2008, 2017); however, the range of time that Title IX coordinators reported spending on their role was 0% to 10%. Additionally, their participants reported that there was no formal, streamlined introduction to the role or assessment of their performance in this role. Streamlining this process overall would not only be best practice, but it is possible that failure to provide adequate supports to Title IX coordinators could have legal implications.

State level departments of education already provide a great level of support to districts in the form of resources, information, and assistance regarding educational matters to both districts and the general public. However, the following recommendations are provided to address the top three barriers mentioned by the participants of the study, that is, time constraints, lack of knowledge of resources, and financial constraints.

- Increase access to training using multiple modes of delivery: If they are not already doing this, state departments of education could support district administrators by not just offering training, but also by reaching out and asking districts if they are having difficulty finding time for any and all of the mandated and recommended trainings and help individual districts find resources that would meet their unique needs. Trainings may be offered using multiple modes of delivery—web-based, such as asynchronous self-paced modules, and/or in-person and on-site. As time constraints was identified as the top barrier to training by both groups in this study, the use of asynchronous training via technology has the benefits of efficiency, effectiveness, convenience, scalability, and reusability, as outlined by Patterson (2015). Further, similar to the benefits of survey research, an electronic format is more cost effective and more immediately and uniformly presentable regardless of a district's location. As the ultimate goal is effectiveness in reducing incidence, any type of training should be evaluated for effectiveness, including evaluating the best mode of delivery.

- Increase access to training by providing incentives: Similarly, with regard to participants' identification of financial constraints as a barrier, if districts are able to access the aforementioned Every Child Succeeds Act funds but are unaware that they can, state level departments of education can help make districts aware of it. State departments of education may already be doing this, but in light of the survey responses, it is worth mentioning.
- Target content and information: If it is not already included in districts' mandatory reporting and/or sexual misconduct policy, insert language that specifically alerts and/or reminds employees that special education students are also at risk. The prejudices mentioned in Chapter II, that people with disabilities are non-sexual, childlike, etc. make it more likely that this group be overlooked (Easter Seals, n.d.; Gougeon, 2009; McNutt, 2004). Alerting and/or reminding trainees who are receiving mandatory reporting training that children with disabilities are also victims of abuse, sexual or otherwise, would be a simple modification to training that is already being provided in districts.
- Make resources easily accessible: There are many resources available on the Colorado Department of Education's website, yet participants' second highest rated barrier to providing training was lack of knowledge of resources. As such, the agencies must identify strategies to support districts so that districts feel confident that they are receiving the information available regarding staff training resources

**Assure that training is provided to all staff-groups.** As discussed in Chapter II, staff training specific to the prevention of staff-to-student sexual misconduct is recommended for all staff groups such as teachers, related service providers, and non-licensed staff such as office and building maintenance staff and volunteers. As such, as many who are currently offering staff training on this topic also indicated that it is not reaching all staff groups, existing updates to current training programs, and/or future development of programs that address this topic should indicate that training on this topic is recommended for all staff groups to attain full benefit. On point, of the three cases I found to cross-reference to see how substantiated incidents of staff-to-student sexual misconduct are reported in the SchoolView resource, two of the convicted perpetrators were non-licensed staff. Training all staff groups on this topic would presumably have the two-fold effect of (a) giving all staff the knowledge and tools to help prevent and also report incidents, but also to (b) alert those who may be tempted to offend via having also received training on the topic that the school environment is a place where staff are well informed and likely to report (Broe, 2007; Mitchell, 2010; Shakeshaft, 2013; Skarbeck et al., 2009). Ultimately, state departments of education have the power to make this a priority by making it mandatory.

**Train students at their level of understanding.** It is not enough to place a student with cognitive and/or communication impairments in a classroom and assume they are digesting and/or utilize the curriculum content in a way that is meaningful to them. As discussed in Chapter II, it is recommended that students with special needs receive sex education, as their non-disabled peers are afforded (Advocates for Youth, 2016; Agmon et al., 2016; World Health Organization, 2011). For students who are

highly dependent due to more severe physical, cognitive, and/or communication needs, this may be one of the most important and relevant inclusion opportunities in their entire kindergarten-12 grade career. Again, not only are they at increased risk of sexual victimization throughout their life (Caldas & Betsy, 2014; Centers for Disease Control and Prevention, 2016a; Krohn, 2014; Shapiro, 2018), but they too are sexual beings with changing bodies and brains with potential for safe and meaningful physical relationships as well (Advocates for Youth, 2016; Disabled World, 2017). Excluding people with disabilities from healthcare and health information is a violation of their human rights (Center for Health and Human Rights, 2019).

**Develop a training specific to staff working with students with special needs.** As discussed in Chapter II, the unique needs and increased risk of victimization facing students with special needs warrants staff training that is specific to those who work with students in special education (Caldas & Betsy, 2014; Mahony & Poling, 2011; Stern, 2017). Participants indicated moderate to high levels of interest in all of the literature recommended component choices that were offered in the survey. While both groups expressed higher levels of interest in some components than others, some level of interest was expressed in all components. As such, a staff training program designed specifically for staff serving student with special needs should include all of the components. This type of training could also be modified for non-licensed staff who work with students with special needs but are not involved in all components that licensed staff would be, such as composing Individualized Education Program goals or educating parents regarding student risk and reporting.

Though not specifically explored in this research, a primary responsibility of special education teachers and related service providers, such as speech and

occupational therapists, is supporting students' ability to access curriculum (Broe, 2007; Bureau of Labor Statistics, 2018a, 2018b, 2018c). However, as mentioned in Chapter II, access to sexuality education for students with disabilities varies widely as they are either not included in the classes (Advocates for Youth, 2016; Barnard-Brak et al., 2014; Gougeon, 2009) and/or the programs are not modified to make the content truly accessible to them (Advocates for Youth, 2016; Krohn, 2014; Mahony & Poling, 2011). It would be valuable to explore for the purpose of informing practice how each of these disciplines can (a) assure that the students they serve are included in sex education programming as recommended (Mahony & Poling, 2011), (b) help to assist with modifying the presented information such that it is understandable to each student's ability to comprehend and participate, and (c) communication with caregivers to facilitate understanding of the topic and ability to support their child in the area of sexuality, including their increased risk of victimization (Broe, 2007; Baladerian et al., 2012), as recommended in Chapter II.

**Include families in the conversation.** Families will be a student's primary support until students reach adulthood, and likely beyond. While this study did not specifically explore strategies caregiver/family supports in depth, an important recommendation expressed by researchers is that caregivers and families be made explicitly aware of the topic of staff-to-student sexual misconduct and sexual victimization in general. Further, these researchers recommend that this is an appropriate discussion to be had as part of a student's special education plan (Mahony & Poling, 2011). As discussed in Chapter II, researchers recommend that caregivers receive information regarding the warning signs of educator sexual misconduct (Broe, 2007), as well as talking with caregivers and families about the higher risk of sexual



victimization of people with disabilities in general (Baladerian et al., 2012). The Colorado Department of Education has a number of resources for families, including parent groups such as the Colorado Statewide Parent Coalition and Parent to Parent of Colorado (Colorado Department of Education, 2017a). Also, as mentioned in Chapter II, the Advocates for Youth website has information and resources for caregivers specific to helping facilitate communication with children with cognitive and/or communication impairments (Advocates for Youth, 2016).

**Train at the level of professional preparation programs.** In light of the obstacles to providing staff training identified in this study, training could be provided more broadly, easily, and with greater consistency if incorporated prior to entering into employment. Specifically, the aforementioned components and awareness of the problem in general could be threaded via a curriculum component into preservice programs for general and special education teachers; speech, occupational, and physical therapists; school psychology and nursing. Therefore, those entering any school system would come in with this lens. These groups would be ideal, as they are the disciplines directly responsible for direct care of students with special needs and/or providing training to those who do, such as the paraprofessionals who provide direct support to students throughout their day. For example, physical therapists in schools are often charged with the task of training paraprofessional support staff when students require special assistance with toileting due to increased physical dependence. This could be a perfect and appropriate opportunity to (a) bring awareness of the issue in general to paraprofessionals who are providing support to students, (b) discuss what to watch for in terms of signs of sexual misconduct, whether occurring at home or any other setting, and (c) how to appropriately maintain student privacy and report

concerns. Likewise, speech therapists could incorporate a lens like this into their overall facilitation of developmental language, including self-advocacy, and occupational therapists into their focus on facilitation of self-help independence. Further, those who are in administrative positions often rise from the ranks below. As such, it is conceivable that through this strategy, all licensed staff in schools would eventually have a basic awareness of the problem and a unified approach for both prevention and intervention. This recommendation should not be in place of district and employer staff-training, as the ultimate responsibility for student safety while at school falls to districts. As such, staff training should be routinely conducted on this topic by districts, as recommended.

Requiring training at this level with groups who may choose to work in different settings and/or age groups, such as physical, speech, and occupational therapists, psychologists, and nurses incorporating this type of information into their professional training would be beneficial even for those who are not planning to work in school systems, as they will still be working with people across the age-span who are compromised. An excellent series by National Public Radio sheds light on the life-long risk of sexual victimization facing people with disabilities throughout their life, sadly primarily by caregivers (Shapiro, 2018).

### **Future Directions for Research**

**Evaluate the impact of current staff training.** As participants mentioned, there are a variety of staff training programs available. Also mentioned in Chapter II, some insurance companies that insure districts against liability, including staff-to-student sexual misconduct, have made staff training on this topic mandatory (Patterson & Austin, 2008) in some states. This may indicate some relationship between training

and reduced incidence, which is worth exploring. However, existing staff trainings on this topic should be analyzed for content and evaluated for their effectiveness.

Reviewers would need to be familiar with literature recommendations (such as training students on reporting), such that they can analyze the content of trainings to assure recommendations are included. Also, the measure of effectiveness would need to be thoughtfully established, as a simple decrease in reports and/or convictions may not, especially initially, be the best measure. For example, as staff, students, and parents are trained on this topic as recommended, it is likely that reports and/or convictions may actually increase before decreasing due to the increased awareness of the issue. Thus, this type of evaluation should be conducted by an agency/organization that has student safety as its primary goal, rather than decreased liability. For example, an insurance company may have less investment in promoting students' ability to report, as their financial interest in simply decreasing district liability could translate into a motivation to decrease reporting rather than increasing student safety. As such, an agency/organization such as the state or federal department of education seems like a logical choice for this type of evaluation.

We must explore measurement of decreased staff-to-student misconduct with fidelity and reliability. Shakeshaft, in her 2004 study, completed a metanalysis of reports to evaluate the scope of the problem. A similar strategy could be used for this type of evaluation; however, if districts are new to staff and/or student training on this topic, it is likely they would see a rise in reports initially. Regardless, it would be beneficial to determine what, if any, decrease in the frequency of student victimization can be promised by implementing training.

**Pre-professional training curriculum.** At the conclusion of a recent presentation at a statewide conference for professionals who work with students and adults with special needs, the director of a professional preparation program stated that this lens should be incorporated into their profession's national standards for accreditation and practice. As mentioned above, providing training on this topic at the level of the professional training program could be an excellent avenue for reaching all licensed practitioners who work with students (and adults) with special needs. Also, for those professions, such as speech, physical and occupational therapy, and nursing, this is an issue that affects the students/clients/patients with which they work of any age, and in all settings. As such, this topic would be of benefit regardless of whether the graduate was interested in school-based practice or not. Specifically, exploration of the following is recommended to determine interest in, and feasibility of, training at the level of professional training programs.

- Are there existing national practice standards governing these professions pertaining to this topic? If not, what would be the level of interest of including a practice standard on this topic and how would that be approached?
- How are issues of sexuality and sexual victimization currently addressed at the professional training program level, whether mandated by a practice standard or not?
- Are professional training programs interested in including this type of information in their program? And, if so, what resources are currently in use or are available for use that would be helpful to providing

respective professional programs with knowledge and strategies useful to their unique role?

If indicated, development of a curriculum component that could be delivered to students within their professional training program would follow that would include the recommended knowledge and training components discussed in this study.

### **Conclusion**

The repercussions of childhood sexual abuse are great. According to the Colorado Department of Human Services, Office of Early Childhood (2017):

The individual and societal impacts [of childhood sexual abuse] include mental health concerns, substance use disorders, medical conditions, suicide, special education, criminal justice, and child welfare, costing the United States billions of dollars annually. (p. 1)

The flow of research and news reports, now spanning into decades, confirms that schools continue to be a setting in which our students are victimized.

This exploratory study:

- Reflects previous literature findings that districts have been slow to incorporate staff training on this topic (Caldas & Betsy, 2014; Krohn, 2014; Mainella, 2015; Shakeshaft, 2013) and also further highlights shortcomings in the policies and procedures for assuring its incorporation
- Supports the need for sincere efforts to assure that districts are providing staff training on the topic of preventing staff-to-student sexual misconduct as an avenue to reducing all students' risk of sexual victimization in schools.

- Supports previous recommendations for developing and implementing staff training specific to staff working with students with special needs (Broe, 2007; Mahony & Poling, 2011; Skarbeck et al., 2009).
- Suggests that if we do not want to arrive at this same conclusion 15 years from now, training on this topic may need to be mandated at the states and/or federal level. As stated in the Surface et al. (2014) recommendations, “Annual training for all [district] employees should be mandatory” (p. 133).

With regard to special education, the findings of this study indicate that the needs and challenges that are unique to students with special needs are being overlooked in existing staff-training options, as well as at the levels of student training on the topic; meaningful and effective inclusion in sex-education curriculum; and parent training and support pertaining to their child’s sexuality, victimization risk, and strategies to support growth and mitigate risk. Districts are ultimately responsible for assuring student safety and providing staff training to assure that. However, the urgency of assuring that students with cognitive and communication impairments can attend school without risk of sexual victimization, whether by staff or peers, necessitates an immediate approach to facilitating awareness and training on this topic. As such, this study identified a need for creating alternative avenues for reaching school staff, such as infusing curriculum specific to this topic into professional training programs for those who will be working with students with special needs, as well as people with special needs in general. As stated by Meyer et al. (2018), “We continue to fail our students when gender equity, full access, and safety remain low priorities in districts” (p. 16), especially with regard to students’ with a compromised

ability to comprehend and/or communicate wrongs that have been, or are being done, to them at school or elsewhere—more has to be done. However we choose to address this issue, we have an opportunity and obligation to improve the safety of the students we serve while they are in our care.

## REFERENCES

- Adams, J. (2014). *Schools failing to protect students from sexual abuse by school personnel, federal report says*. Retrieved from EdSource website: <http://edsource.org/2014/schools-failing-to-protect-students-from-sexual-abuse-by-school-personnel-federal-report-says/57023>
- Advocates for Youth. (2016). *Sexual health education for young people with disabilities: Research and resources for educators*. Retrieved from <http://www.advocatesforyouth.org/publications/publications-a-z/2559>
- Agmon, M., Sa'ar, A., & Araten-Bergman, T. (2016). The person in the disabled body: A perspective on culture and personhood from the margins. *International Journal for Equity and Health*, 15(147), 1–11.
- Autism Speaks. (n.d.). *Sexuality education for children and adolescents with developmental disabilities*. Retrieved from [https://www.autismspeaks.org/docs/family\\_services\\_docs/parentworkbook.pdf](https://www.autismspeaks.org/docs/family_services_docs/parentworkbook.pdf)
- Baladerian, N., Coleman, T., & Stream, J. (2012). *Abuse of people with disabilities: A report on the 2012 national survey on abuse of people with disabilities*. Retrieved from Disability and Abuse Project website: <http://disability-abuse.com/survey/survey-report.pdf>
- Barnard-Brak, L., Schmidt, M., Chesnut, S., Wei, T., & Richman, D. (2014). Predictors of access to sex education for children with intellectual disabilities in public schools. *Intellectual and Developmental Disabilities*, 52(2), 85–97.
- Boyd, C. (2011). Trust betrayed: Counseling girls who have been sexually abused by educators. *Educational Specialist*, 38.
- Broe, K. (2007). *Educator sexual misconduct: A policy and audit guide for protecting children*. Chevy Chase, MD: United Educator's Insurance.
- Bureau of Labor Statistics. (2018a). Occupational outlook handbook: Occupational therapists. Retrieved from <https://www.bls.gov/ooh/healthcare/occupational-therapists.htm#tab-2>
- Bureau of Labor Statistics. (2018b). Occupational outlook handbook: Special education teachers. Retrieved from <https://www.bls.gov/ooh/education-training-and-library/special-education-teachers.htm>



- Bureau of Labor Statistics. (2018c). Occupational outlook handbook: Speech language pathologists. Retrieved from <https://www.bls.gov/ooh/healthcare/speech-language-pathologists.htm#tab-2>
- Caldas, S., & Bensy, M. (2014). The sexual maltreatment of students with disabilities in American school settings. *Journal of Child Sexual Abuse*, 23(4), 345–366. doi:10.1080/10538712.2014.906530. Retrieved from <http://www.copaa.org/news/180153/New-Research-The-Sexual-Maltreatment-of-Students-with-Disabilities-in-American-School-Settings.htm>
- Center for Health and Human Rights. (2019). *Health and human rights resource guide*. Retrieved from <https://www.hhrguide.org>
- Center for Parent Information & Resources. (2016). *Sexuality education for students with disabilities*. Retrieved from <http://www.parentcenterhub.org/sexed/>
- Centers for Disease Control and Prevention. (2013). *CDC fact sheet: Information for teens and young adults: Staying healthy and preventing STDs*. Retrieved from <https://www.cdc.gov/std/life-stages-populations/stdfact-teens.htm>
- Centers for Disease Control and Prevention. (2016a). *Childhood maltreatment of children with disabilities*. Retrieved from <https://www.cdc.gov/ncbddd/disabilityandsafety/abuse.html>
- Centers for Disease Control and Prevention. (2016b). *Disability and health: Healthy living*. Retrieved from <https://www.cdc.gov/ncbddd/disabilityandhealth/healthyliving.html>
- Cisco. (n.d.). *What is a firewall?* Retrieved from <https://www.cisco.com/c/en/us/products/security/firewalls/what-is-a-firewall.html?dtid=osscdc000283>
- Colorado Board of Cooperative Educational Services. (n.d.). *About BOCES*. Retrieved from <https://www.coloradoboces.org/colorado-boces-association/about-boces/>
- Colorado Department of Education. (n.d.). *District and BOCES websites*. Retrieved from <http://www.cde.state.co.us/districtandboceswebsites>
- Colorado Department of Education. (2017a). *Office of Special Education*. Retrieved from <https://www.cde.state.co.us/cdesped/sped-dir>
- Colorado Department of Education. (2017b). *Title IX of the Education Amendments of 1972*. Retrieved from [https://www.cde.state.co.us/cde\\_english/titleix](https://www.cde.state.co.us/cde_english/titleix)
- Colorado Department of Education. (2018). Find your special education director. Retrieved from <https://www.cde.state.co.us/cdesped/sped-dir>

- Colorado Department of Human Services, Office of Early Childhood. (2017). *Child sexual abuse prevention efforts in Colorado issue brief & recommendations*. Retrieved from <http://co4kids.org/sites/default/files/ChildSexualAbusePreventionResearchBrief.pdf>
- Cone, J., & Foster, S. (2006). *Dissertation and thesis from start to finish* (2nd ed.). Washington, DC: American Psychological Association.
- Council for Exceptional Children. (n.d.). *Selected job profiles in special education*. Retrieved from <https://www.cec.sped.org/professional-development/job-profiles-in-special-education>
- Creswell, J. (2014). *Research design: Qualitative, quantitative, and mixed methods approaches*. Thousand Oaks, CA: Sage.
- DeMitchell, T. (2002). The duty to protect: Blackstone's doctrine of in loco parentis: A lens for viewing the sexual abuse of students. *Brigham Young University. Education and Law Journal*, 2002(1), 17–52.
- Dessoff, A. (2010). *Battling sexual abuse: Proactively training employees is crucial to a district strategy*. Retrieved from District Administration website: <http://www.districtadministration.com/article/battling-sexual-abuse>
- Disabled World. (2017). Disability sexuality: Sex and the disabled information. Retrieved from <https://www.disabled-world.com/disability/sexuality/>
- Donaldson, S. I., & Grant-Vallone, E. J. (2002). Understanding self-report bias in organizational behavioral research. *Journal of Business and Psychology*, 17(2) 245–260.
- Dukes, E., & McGuire, B. (2009). Enhancing capacity to make sexually-related decisions in people with an intellectual disability. *Journal of Intellectual Disability Research*, 53, 727–734.
- Easter Seals. (n.d.). *Myths and facts about people with disabilities*. Retrieved from <http://www.easterseals.com/explore-resources/facts-about-disability/myths-facts.html>
- Federation of State Medical Boards. (2006). *Addressing sexual boundaries: Guidelines for state medical boards*. Retrieved from [https://www.fsmb.org/Media/Default/PDF/FSMB/Advocacy/GRPOL\\_Sexual%20Boundaries.pdf](https://www.fsmb.org/Media/Default/PDF/FSMB/Advocacy/GRPOL_Sexual%20Boundaries.pdf)
- FindLaw. (2019). *Time limits for charges: State criminal statutes of limitations*. Retrieved from <https://criminal.findlaw.com/criminal-law-basics/time-limits-for-charges-state-criminal-statutes-of-limitations.html>

- Fryrear, A. (2015, July 27). What's a good survey response rate [Blog post]? Retrieved from <https://www.surveygizmo.com/resources/blog/survey-response-rates/>
- Fulgoni-Britton, R. (2009). Drawing a line on the blackboard: Why high school students cannot welcome sexual relations with their teachers. *Indiana Law Review*, 42(1), 257–284.
- Future of Sex Education Initiative. (2012). National sexuality education standards: Core content and skills, K-12. *Journal of School Health*. Retrieved from <http://www.futureofsexeducation.org/documents/josh-fose-standards-web.pdf>
- Gougeon, N. (2009). Sexuality education for students with intellectual disabilities, a critical pedagogical approach: Outing the ignored curriculum. *Sex Education*, 9(3), 277–291.
- Halsne, C., & Koeberl, C. (2018). *Student sex assault cases going unreported by Cherry Creek School District*. Retrieved from <https://kdvr.com/2018/03/28/student-sex-assault-cases-going-unreported-by-cherry-creek-schools-2/>
- Harass. (n.d.). In *Merriam-Webster dictionary*. Retrieved from <https://www.merriam-webster.com/dictionary/harass>
- Harvard Medical School. (2010). Pessimism about pedophilia. *Harvard Health Publications*. Retrieved from [http://www.health.harvard.edu/newsletter\\_article/pessimism-about-pedophilia](http://www.health.harvard.edu/newsletter_article/pessimism-about-pedophilia)
- Jones, L., Bellis, M. A., Wood, S., Hughes, K., McCoy, E., Eckley, L., . . . Officer, A. (2012). Prevalence and risk of violence against children with disabilities: A systematic review and meta-analysis of observational studies. *The Lancet*, 380(9845), 899–907.
- Krohn, J. (2014). Sexual harassment, sexual assault, and students with special needs: Crafting an effective response for schools. *University of Pennsylvania Journal of Law and Social Change*, 17(1).
- Magoon, K., & Meadows-Oliver, M. (2011). Adolescent sexual health and physical disability in primary care. *Pediatric Nursing*, 37(5), 280–282.
- Mahony, A., & Poling, A. (2011). Sexual abuse prevention for people with severe developmental disabilities. *Journal of Physical Disabilities*, 23, 369–376.
- Mainella, A. (2015). Public policy and sexuality education for youth with disabilities: Impact on sexual behavior and outcomes. *International Journal of Social, Behavioral, Educational, Economic and Management Engineering*, 9(2), 458–463. Retrieved from <http://www.waset.org/publications/10000433>

- Martinez, G., Abma, J., & Copen, C. (2010). *Educating teenagers about sex in the United States* (NCHS Data Brief 44). Hyattsville, MD: National Center for Health Statistics.
- Mazor, K. M., Clauser, B. E., Field, T., Yood, R. A., & Gurwitz, J. H. (2002). A demonstration of the impact of response bias on the results of patient satisfaction surveys. *Health Services Research, 37*(5), 1403–1417. doi:10.1111/1475-6773.11194. Retrieved from <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1464019>
- McCormack, B., Kavanagh, D., Caffrey, S., & Power, A. (2005). Investigating sexual abuse: Findings of a 15-year longitudinal study. *Journal of Research in Intellectual Disabilities, 18*, 217–227.
- McNutt, H. (2004). *Hidden pleasures*. Retrieved from The Guardian website: <https://www.theguardian.com/society/2004/oct/13/disability.socialcare>
- Meyer, E. J., Somoza-Norton, A., Lovgren, N., Rubin, A., & Quantz, M. (2018). Title IX coordinators as street-level bureaucrats in U.S. schools: Challenges addressing sex discrimination in the #MeToo era. *Education Policy Analysis Archives, 26*(68), 1–24.
- Mitchell, M. (2010). Child sexual abuse: A school leadership issue. *The Clearinghouse, 83*, 101–104.
- Murphy, N., & Elias, E. (2006). Clinical report: Sexuality of children and adolescents with developmental disabilities. *American Academy of Pediatrics, 118*(1), 398–403.
- Murphy, N., & Young, P. (2005). Sexuality in children and adolescents with disabilities. *Developmental Medicine and Child Neurology, 47*, 640–644.
- Nance, J. P., & Daniel, T. K. (2007). *Protecting students from abuse: Public school district liability for student sexual abuse under state child abuse reporting laws*. Retrieved from University of Florida Levin College of Law, UF Law Scholarship Repository website: <http://scholarship.law.ufl.edu/cgi/viewcontent.cgi?article=1391&context=facultypub>
- National Center for Education Statistics. (2016). *The Condition of Education: Children and youth with disabilities*. Retrieved from [https://nces.ed.gov/programs/coe/indicator\\_cgg.asp](https://nces.ed.gov/programs/coe/indicator_cgg.asp)
- National Center for Education Statistics. (2017). *The Condition of Education: Children and youth with disabilities*. Retrieved from [https://nces.ed.gov/programs/coe/indicator\\_cgg.asp](https://nces.ed.gov/programs/coe/indicator_cgg.asp)

- National Conference of State Legislatures. (2016). *State policies on sex education in schools*. Retrieved from <http://www.ncsl.org/research/health/state-policies-on-sex-education-in-schools.aspx>
- National Council for Behavioral Health. (2019). *Every Student Succeeds Act creates funding opportunities for behavioral health in schools*. Retrieved from <https://www.thenationalcouncil.org/capitol-connector/2016/10/every-student-succeeds-act-creates-funding-opportunities-behavioral-health-schools/>
- National Sexual Violence Resource Center. (2018). *Get statistics*. Retrieved from <https://www.nsvrc.org/statistics>
- Office for Victims of Crime. (2018). *2018 Sexual violence statistical fact sheet*. Retrieved from [https://ovc.ncjrs.gov/ncvrw2018/info\\_flyers/fact\\_sheets/2018NCVRW\\_SexualViolence\\_508\\_QC.pdf](https://ovc.ncjrs.gov/ncvrw2018/info_flyers/fact_sheets/2018NCVRW_SexualViolence_508_QC.pdf)
- Patterson, J. (2015). Five reasons why self-paced training is highly effective [Blog post]. Retrieved from <https://www.knowledgewave.com/blog/self-paced-training>
- Patterson, M., & Austin, D. (2008, December). Stop the grooming: How can you help protect children from sexual misconduct by school employees. *American School Board Journal*, pp. 18–20.
- Phillips, N. (2018, September 24). Cherry creek school district to pay \$11.5 million to 5 students who were sexually assaulted by a teacher. *Denver Post*. Retrieved from <https://www.denverpost.com>
- Planned Parenthood. (n.d.). *Developmental disabilities and sexuality curriculum*. Retrieved from <https://www.plannedparenthood.org/planned-parenthood-northern-new-england/local-education-training/development-disabilites-sexuality>
- Ponto, J. (2015). *Understanding and evaluating survey research*. Retrieved from <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4601897/>
- Readiness and Emergency Management for Schools, Technical Assistance Center. (2017). *A training guide for administrators and educators on addressing adult sexual misconduct in the school setting*. Retrieved from <https://rems.ed.gov/docs/asmtrainingguide.pdf>
- Rohleder, P. (2010). Educators' ambivalence and managing anxiety in providing sex education for people with learning disabilities. *Psychodynamic Practice*, 16(2), 165–182.

- School district. (2019). In *Merriam-Webster dictionary*. Retrieved from [https://www.merriam-webster.com/dictionary/school%20district?utm\\_campaign=sd&utm\\_medium=serp&utm\\_source=jsonld](https://www.merriam-webster.com/dictionary/school%20district?utm_campaign=sd&utm_medium=serp&utm_source=jsonld)
- Shafsma, D., Kok, G., Stoffelen, J., & Curfs, L. (2017). People with intellectual disabilities talk about sexuality: Implications for the development of sex education. *Sexuality and Disability*, 35(1), 21–38.
- Shakeshaft, C. (2004). *Educator sexual misconduct: A synthesis of existing literature*. Washington, DC: U.S. Department of Education.
- Shakeshaft, C. (2013). Know the warning signs of educator sexual misconduct. *Kappan*, 94(5), 8–11.
- Shapiro, J. (2018, January 08). *The sexual assault epidemic no one talks about*. Retrieved from National Public Radio website: <https://www.npr.org/2018/01/08/570224090/the-sexual-assault-epidemic-no-one-talks-about>
- Shields, R., Benelmouffok, A., & Letourneau, E. (2015, October). *Help wanted: Lessons on prevention from non-offending young adult pedophiles*. Poster session presented at the Association for the Treatment of Sexual Abusers. Montreal, Quebec. Retrieved from <http://www.atsa.com/pdfs/Conf2015/TPoster11.pdf>
- Skarbeck, D., Hahn, K., & Parrish, P. (2009). Stop sexual abuse in special education: An ecological model of prevention and intervention strategies for sexual abuse in special education. *Sexuality and Disability*, 27, 155–164.
- Smith, N., & Harrell, S. (2013) *Sexual abuse of children with disabilities: A national snapshot*. Retrieved from Vera Institute of Justice website: <http://www.vera.org/sites/default/files/resources/downloads/sexual-abuse-of-children-with-disabilities-national-snapshot-v2.pdf>
- State of Colorado, Department of Safety. (2017). *Colorado school safety resource center*. Retrieved from <https://www.colorado.gov/pacific/cssrc/trainings#CSA>
- Stern, K. (2017). *Paraprofessionals*. Retrieved from My Child at CerebralPalsy website: <http://www.cerebralpalsy.org/information/education/paraprofessionals>
- Stop Educator Sexual Abuse Misconduct & Exploitation. (n.d.). *Resources: training*. Retrieved from <http://www.sesamenet.org>
- Surface, J., Stader, D., & Armenta, A. (2014). Educator sexual misconduct and nondisclosure agreements: Policy guidance from Missouri’s Amy Hester Student Protection Act. *The Clearing House*, 87, 130–133.

- United Educators. (n.d.). Coverage: Public school (k-12) liability. *Coverage for k-12 Public Schools*. Retrieved from <https://www.ue.org/what-we-offer/liability-insurance/public-school-k-12-liability/>
- U.S. Department of Education. (n.d.a). *Adult sexual misconduct in schools: Prevention and management training*. Retrieved from the Readiness and Emergency Management for Schools Technical Assistance Center website: [https://rems.ed.gov/Docs/ASM\\_Marketing\\_Flyer.pdf](https://rems.ed.gov/Docs/ASM_Marketing_Flyer.pdf)
- U.S. Department of Education. (n.d.b). Civil rights coordinators data. Retrieved from <https://www.ed.gov/civ-rts-coordinators>
- U.S. Department of Education. (2008). *Educator sexual misconduct: What school staff need to know and do*. Retrieved from the Readiness and Emergency Management for Schools Technical Assistance Center website: [http://rems.ed.gov/docs/HH\\_Vol3Issue2.pdf](http://rems.ed.gov/docs/HH_Vol3Issue2.pdf)
- U.S. Department of Education. (2015, April 24). *New guidance from U.S. Department of Education reminds schools of obligation to designate Title IX coordinator* [Press release]. Retrieved from <https://www.ed.gov/news/press-releases/new-guidance-us-department-education-reminds-schools-obligation-designate-title-ix-coordinator>
- U.S. Department of Education. (2017). *A training guide for administrators and educators on addressing adult sexual misconduct in the school setting*. Retrieved from the Readiness and Emergency Management for Schools Technical Assistance Center website: <https://rems.ed.gov/asmtrainingguide.aspx>
- U.S. Department of Education, Office for Civil Rights. (2008). Sexual harassment: It's not academic. Retrieved from <https://www2.ed.gov/about/offices/list/ocr/docs/ocrshpam.pdf>
- U.S. Department of Education, Office for Civil Rights. (2011). "Dear colleague" letter guidance, supplementing the OCR's revised sexual harassment guidance. Retrieved from: <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201104.html>
- U.S. Department of Education, Office for Civil Rights. (2014). Questions and Answers on Title IX and Sexual Violence. Retrieved from <https://www2.ed.gov/about/offices/list/ocr/docs/qa-201404-title-ix.pdf>
- U.S. Department of Education, Office for Civil Rights. (2018a). *Revised sexual harassment guidance: Harassment of students by school employees, other students, or third parties Title IX*. Retrieved from <http://www.ed.gov/ocr/publications.html>

- U.S. Department of Education, Office for Civil Rights. (2018b). Sex-based harassment. Retrieved from <https://www2.ed.gov/about/offices/list/ocr/frontpage/pro-students/issues/sex-issue01.html>
- U.S. Department of Health & Human Services. (2015). *Cross-reporting among responders to child abuse and neglect*. Retrieved from <https://www.childwelfare.gov/topics/systemwide/laws-policies/statutes/xreporting/>
- U.S. Legal. (n.d.). *Individual with a severe disability [education] law and legal definition*. Retrieved from <https://definitions.uslegal.com/i/individual-with-a-severe-disability-education/>
- World Health Organization. (2011). *World report on disability*. Retrieved from [https://www.ncbi.nlm.nih.gov/books/NBK304079/pdf/Bookshelf\\_NBK304079.pdf](https://www.ncbi.nlm.nih.gov/books/NBK304079/pdf/Bookshelf_NBK304079.pdf)



**APPENDIX A**

**READINESS AND EMERGENCY MANAGEMENT  
FOR SCHOOLS TECHNICAL ASSISTANCE  
CENTER: TRAINING IN ADULT SEXUAL  
MISCONDUCT AWARENESS**

### **Chapter 3: Training in ASM Awareness and Prevention**

Training of school personnel is an integral part of ASM [Adult Sexual Misconduct] prevention and response and should reinforce the school district's documented policies and procedures. Decisions related to training must include the following considerations:

#### Content

- o How is it developed?
- o Are existing training curricula used as resources?
- o Does the training address a comprehensive set of topics (e.g., prevalence, grooming, reporting requirements)?
- o Which training topics are specific to administrators versus educators?
- o What is the format of delivery (e.g., in-person, online, CDs/DVDs, etc.)?

#### Frequency

- o Is training presented at the start of every school year or more frequently?
- o Do new employees receive training regardless of their start dates?

#### Participants

- o Are volunteers trained as well as staff members?
- o What should students be taught about preventing ASM?
- o Is training available for parents and guardians?

In all cases, the training environment should be one in which trainees feel comfortable actively participating and asking questions, even though the topic of ASM is a sensitive one. Being receptive to questions reduces barriers to coming forward, reporting, and being proactive about preventing and responding to child sexual abuse, including ASM (Saul and Audage, 2007).

#### **Importance of Training**

While most states do not require ASM awareness and prevention training, some school districts provide this training to staff, students, and volunteers (GAO, 2014). Because schools play a primary role in the lives of children, comprehensive, high-quality training is needed in all schools to help staff members

- Recognize appropriate and inappropriate behaviors in their interactions with students;
- Identify the early warning signs of ASM effects in children;
- Detect the patterns of ASM behavior in adults;
- Respond appropriately when an ASM incident is suspected; and
- Follow the school's policies and procedures for reporting ASM, which must be consistent with state laws and general counsel guidance.

### **Training Considerations**

The knowledge and skills imparted through training are critical for ensuring that everyone on staff is accountable for preventing ASM and responding appropriately when it is suspected. In choosing content, schools should take into account the specific training implications for various types of school personnel. The preventive measures a teacher will take might be different from those of an administrator. The examples and illustrations used should reflect these varying roles within the school (GAO, 2014). For this reason, schools may decide to provide training to administrators and non-administrative staff separately. Specialized training should be provided to the Title IX coordinator(s).

#### All-Staff Training Content

Training content that is necessary for all staff members is listed below. The content should do the following:

- Include a working definition of ASM.
- the school’s ASM policies, underscoring the fact that some ASM behaviors (e.g., those meeting the legal definition of child sexual abuse) are criminal acts. Therefore, ASM behaviors may lead to termination of employment and punishment under the law.
- Identify the warning signs of the effects of ASM on children, providing examples, when possible, from reported cases.
- Explain the role and legal responsibilities of mandatory reporters and the school’s internal reporting procedures.
- Point out the consequences for failing to report ASM, as well as protections for those who report in good faith when incidents of suspected ASM turn out to be unsubstantiated.
- Describe how school policy prohibits the making of intentionally false ASM complaints and the repercussions for doing so. Emphasize that protecting the reputation of innocent educators is a high priority for the school.
- Identify perpetrator patterns of behavior, providing examples from local and national media accounts or case studies that are relevant to the school setting.
- Describe policies and procedures involving transportation, the physical school environment, toileting, and electronic communications, including social media.
- Take time to address questionable, but not criminal behaviors (i.e., the “gray areas”) in both in-person and electronic interactions with students.
- Include information about which students are likely to be ASM targets and what school personnel can do to protect these at-risk students.

- Identify a school and/or district Title IX coordinator(s) and describe their roles, pointing out the location of their office(s) in the school or district and providing contact information.
- Discuss the steps school personnel are expected to take to reduce the risk of ASM in the physical environment. For example, some schools regularly monitor locked classrooms, storage rooms, and offices.
- Consider distributing a handout during training that describes the school's policies and asking staff members to sign it.
- Conduct a post-training assessment mechanism, such as a survey, to gauge the impact of the training and determine the need for adjustments in content, approach, or format.

As leaders in ASM prevention and response, school administrators are charged with specific mandates and face some issues that are different from those faced by other school personnel (GAO, 2014). Therefore, in addition to addressing the content described for all-staff ASM training, a separate training for administrators can take into account the following additional topics:

State laws and mandates specific to ASM prevention and response

- Title IX policies and procedures pertaining to ASM
- Oversight of the Title IX coordinator
- Strategies for ensuring prevention and response compliance by other school personnel
- Complaint processes and critical communication protocols within the school
- The threat- and hazard-specific annex(es) relating to ASM
- Policies for placing alleged perpetrators on administrative leave, and maintaining confidentiality during internal and external investigations
- Guidelines for working with local law enforcement
- Measures to promote school recovery after an ASM incident
- ASM recordkeeping, data management, and accountability

### Title IX Coordinator Content

School districts that receive federal funds must designate an employee to oversee Title IX requirements, act as a point-of-contact for sexually related complaints, and coordinate investigations (GAO 2014). This individual, known as the Title IX coordinator, is critical to the prevention of and appropriate response to ASM. School administrators should carefully consider the selection of these personnel. Title IX coordinators should not have other job responsibilities that could create a conflict of interest. Employees whose job responsibilities may conflict with a Title IX coordinator's duties include directors of athletics, deans of students, and any employee who serves on the judicial/hearing board or to whom an appeal might be made. The best way to avoid a conflict of interest is to designate a full-time Title IX coordinator (GAO, 2014).

The need for specific training in Title IX coordinator responsibilities was highlighted by the GAO (2014) when they interviewed experts who worked with school districts to provide training on ASM prevention. These experts noted that some school administrators were not aware of the requirements of Title IX, who the Title IX coordinator was, or the coordinator's responsibilities. The following list of responsibilities from ED's guidance on Title IX should be addressed in the training for this position (Office for Civil Rights, 2014). A Title IX coordinator is responsible for the following:

- Overseeing the school's response to Title IX reports and complaints
- Identifying and addressing any patterns or systemic problems revealed by the reports and complaints
- Understanding the requirements of Title IX, the school's own policies and procedures on ASM, and all complaints that raise Title IX issues in the school
- Remaining trained on and informed of all reports and complaints raising Title IX issues, even if the report or complaint was initially filed with another individual or office, or if the investigation will be conducted by another individual or office. The school should ensure that the Title IX coordinator is given the training, authority, and visibility to fulfill these responsibilities
- Providing training to students, faculty, staff and information to families, and guardians on Title IX issues
- Conducting Title IX investigations, including analyzing the facts relevant to a complaint, determining appropriate sanctions against the perpetrator, and deciding on interim measures to protect the complainant when an allegation of ASM is made
- Ensuring that policies and procedures are in place for working with local law enforcement and coordinating services with local victim advocacy organizations and service providers, including rape crisis centers

### Making Training Mandatory

ASM prevention and response experts advise making training mandatory for all school personnel who have direct contact with students. This ensures that all members of the school community hear the same messages about ASM and are knowledgeable about the school's policy, as well as prevention and response measures (Shakeshaft, 2004b).  
Format and

### Frequency of Training

Most schools require ASM training for at least some of their personnel, often at the beginning of the school year (GAO, 2014). For example, as of 2014, Texas Education Code § 38.0041 requires that all district and school employees, including K–grade 5 teachers, campus principals, and bus drivers, receive training on how to prevent and recognize sexual abuse and other forms of child maltreatment (Texas Education Agency, 2014). During the planning process, schools should identify areas that call for ongoing training and identify staff members who will begin employment after the school year is underway so that they can be trained upon arrival.

To create ASM training, school districts should incorporate state mandates and can work with established training models used by other schools or designed by field experts (such as those included in the list of ASM training resources later in this chapter). They may use a single format or approach or combine a number of them—for example, in-person, interactive training, as well as online learning modules.

Interactive, scenario-based training provides participants with opportunities to practice responses and may boost motivation (GAO, 2014). Online training modules offer convenient and self-paced learning opportunities that often include tracking and reporting tools for compliance with district policies and training protocols. When considering online training, experts caution against courses that are simply reading-based, with quizzes that test for reading comprehension and short-term content retention. Training assessments should determine the extent to which a participant is able to apply.

### Addressing Training Challenges

Anticipating and accounting for training challenges will ensure that districts are prepared to manage the challenges that invariably arise. Training challenges vary depending on the size of the school and district, the depth and format of the training, and the school's or district's budget. For schools with high staff turnover, ongoing screening and training can seem daunting. Standardizing new employee training and placing it in the context of the district's commitment to safeguarding children can help allay pressure from those pushing for a quick start date for the training. Some schools face disinterest from staff members who believe their school or district does not have an ASM problem (GAO, 2014). In such cases, presenting ASM statistics for the county or region, along with media accounts of local incidents can help to counter these beliefs.

Regardless of the obstacles to standardized training, it should serve as the foundation of ASM prevention and response. Requiring that staff members read a handbook of policies and procedures on ASM prevention will not achieve the intended results.

### **Other Training Considerations**

#### Providing Parent Awareness Training

As part of their prevention efforts, schools can make parents aware of district policies and procedures on safeguarding children and consider engaging them as partners by including them in ASM awareness training (GAO, 2014). Additionally, this will help to build trust as parents and guardians learn about the many efforts the school takes to protect their child.

Training for parents may address the following:

- Patterns of ASM behavior, including how they manifest in social media interactions and electronic exchanges
- The district’s ASM policies and procedures, including the following:
  - The steps for reporting incidents o How complaints will be heard and investigated
  - The role of the Title IX coordinator o How parents will be notified of outcomes
- Specific examples of the school’s efforts to monitor interactions between adults and students
- Age-appropriate talking points for discussing inappropriate adult behavior, privacy, personal boundaries, and online safety with their children
- Age-appropriate tips parents can share when teaching children about refusing and reporting inappropriate adult behavior
- A mechanism for parents to ask questions after the training
- Tips for online safety, such as those provided in Keeping Kids Safer on the Internet: Tips for Parents and Guardians (available at <http://www.onguardonline.gov/topics/protectkids-online>)

Administering a survey immediately after the training can help gauge its impact and inform the content and format of future trainings. Periodic reminders of the school’s commitment to protecting students, even brief ones (e.g., tweets), can help reinforce the trust, as well as remind parents to be vigilant as they discuss safety with their children.

### Tailoring Training to Students

When the training given is age-appropriate and relevant, students can play a critical role in ASM prevention by observing the appropriate boundaries they are taught, by reporting inappropriate behavior, and by reinforcing ASM awareness in their peers (GAO, 2014). Important components of the training will be a working definition of ASM, including criminal repercussions, using an age-appropriate version of the district's ASM policy. Additional components can include the following:

- A working definition of ASM, including criminal repercussions
- An age-appropriate version of the district's ASM policy
- Clear information about how and to whom ASM reports should be made
- Common patterns of behavior of ASM perpetrators, including forms of grooming that may appear in social media and electronic exchanges
- Meaningful examples that will help students understand the gravity of ASM. These examples might describe the consequences of an educator who engaged in a sexual or romantic relationship with a student, or who shared drugs, alcohol, or sexually explicit material.
- Respectful discussion about students who may be especially vulnerable to ASM perpetrators and what their peers can do to support them
- Thoughtful conversation about appropriate and inappropriate adult behaviors that fall into "gray areas" (behavior that is questionable, but not criminal). The training should provide o a description of as many of these behaviors as possible; o real-life examples (these can come from national and local media incident accounts); o an opportunity for students to identify these inappropriate behaviors in scenarios specific to the school setting; o a range of realistic scenarios that call on students to determine the appropriate actions, such as refusing inappropriate behavior, reporting suspicious incidents, or ensuring that a peer does not keep a secret about ASM; and o incentives for students to create their own information campaigns in the school, the community, or online.
- Tips for online safety, such as those in "Internet Safety Education for Teens: Getting It Right" from the Crimes Against Children Research Center (available at [http://www.unh.edu/ccrc/internet-crimes/safety\\_ed.html](http://www.unh.edu/ccrc/internet-crimes/safety_ed.html)) and the Kids Online Safety site (found at <http://www.consumer.ftc.gov/topics/kids-online-safety>)
- Details about safeguards to protect students from retaliation when reporting incidents



- Discussion of the harms of false allegations and the punishment for making intentionally false reports or allegations

The student training should be as interactive as possible and be refreshed each year or as often as possible to include new scenarios, media accounts, and examples of inappropriate and illegal behavior. Students should be allowed to provide feedback on the training content, format, and approach. A survey can capture these opinions and provide information about whether the training had the intended impact.

### **Conclusion**

Training for school personnel, volunteers, parents, and guardians should align with documented policies and procedures to create a strong infrastructure for preventing and responding to ASM. Training materials can be updated with the feedback obtained from trainee surveys and kept current by incorporating new research findings as they become available. In addition, a variety of resources on existing training programs are found in Chapter 5, including information on the REMS TA Center's ASM Training by Request. These resources can assist school districts in developing and implementing training courses and supplementing them with additional content as needed.

**APPENDIX B**  
**INSTITUTIONAL REVIEW BOARD APPROVAL**



UNIVERSITY OF  
NORTHERN COLORADO

*Institutional Review Board*

DATE: April 19, 2018

TO: Mary Lintz

FROM: University of Northern Colorado (UNCO) IRB

PROJECT TITLE: [1229050-1] An Exploration of Staff Training Practices Specific to the Prevention of Staff-to-Student Sexual Misconduct in General and Special Education

SUBMISSION TYPE: New Project

ACTION: APPROVAL/VERIFICATION OF EXEMPT STATUS

DECISION DATE: April 19, 2018

EXPIRATION DATE: April 19, 2022

Thank you for your submission of New Project materials for this project. The University of Northern Colorado (UNCO) IRB approves this project and verifies its status as EXEMPT according to federal IRB regulations.

Thank you for a thorough and clear IRB application for relevant research. Please make the following two amendments to your consent form before use in participant recruitment and data collection:

- 1) add current UNCO logo letterhead; and
- 2) update the contact information for mistreatment as a research participant as follows, "If you have any concerns about your selection or treatment as a research participant, please contact the Office of Research, Kepner Hall, University of Northern Colorado Greeley, CO 80639; 970-351-1910.

Best wishes with your study and do not hesitate to contact me with any IRB-related questions or concerns.

Sincerely,

Dr. Megan Stellino, UNC IRB Co-Chair

We will retain a copy of this correspondence within our records for a duration of 4 years.

If you have any questions, please contact Sherry May at 970-351-1910 or [Sherry.May@unco.edu](mailto:Sherry.May@unco.edu). Please include your project title and reference number in all correspondence with this committee.

This letter has been electronically signed in accordance with all applicable regulations, and a copy is retained within University of Northern Colorado (UNCO) IRB's records.

**APPENDIX C**  
**FINAL HUMAN CONSENT FORM**

**PROJECT TITLE:** An Exploration of District Staff Training Practices on the Prevention of Staff-to-Student Sexual Misconduct in General and Special Education

**PURPOSE:** The problem of staff-to-student sexual misconduct was formally investigated and acknowledged by the U.S. Department of Education in 2004. Unfortunately, news reports continue to indicate that the problem of both consensual and non-consensual inappropriate relationships and contact between staff and students persists. Both districts and the communities they serve have a sincere interest in protecting children; however, research suggests that there is a wide range in how districts are addressing this particular issue.

With the goal of gathering information to contribute to the agencies that support and inform districts, the purpose of this study is to:

- explore current staff-training practices among school districts specific to the prevention of staff-to-student sexual misconduct and
- identify what, if any, barriers exist to providing this type of staff training.

Even those districts that do not conduct staff training specific to this topic play a valuable role in contributing to an overall understanding of the current landscape of training practices which can assist support agencies in better supporting districts.

**YOUR PARTICIPATION:** You are invited to participate in a brief survey that will take approximately 5 minutes to complete. By clicking on the link below, you give your consent to participate in the research study.

**NOTE:** Participation is voluntary. You may decide not to participate in this study. If you begin participation, you may still decide to stop and withdraw at any time and you may skip questions that you do not wish to answer. If you have any concerns about your selection or treatment as a research participant, please contact the Office of Research, Kepner Hall, University of Northern Colorado Greeley, CO 80639; 970-351-1910.

**CONFIDENTIALITY OR RISK:** The information collected will be kept confidential. No participant names or district names will be collected. Responses to job title, district, and region will be aggregated. No information will be reported individually.

**BENEFIT:** Your participation will contribute to a more thorough understanding of current training practices pertaining to staff-to-student sexual misconduct, as well as possible barriers to training on this topic.

Please do not hesitate to contact me if you have questions about the research or your participation.

**RESEARCHER:** Mary Kirsten Lintz, Ph.D. student  
Phone: (999) 999-9999  
Email: [lintz.mary@bears.unco.edu](mailto:lintz.mary@bears.unco.edu)

**FACULTY ADVISOR:** Rashida Banerjee, Ph.D.  
School of Special Education

University of Northern Colorado  
Phone: (970) 351-1184  
Rashida.banerjee@unco.edu

By clicking on the survey link below, you give your consent to participate in the research study.

**APPENDIX D**

**SURVEY: TITLE IX COORDINATORS**

# Title IX Coordinators

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## Start of Block: Block 1

**Q19 PROJECT TITLE:** An Exploration of District Staff Training Practices on the Prevention of Staff-to-Student Sexual Misconduct in General and Special Education

**PURPOSE:** The problem of staff-to-student sexual misconduct was formally investigated and acknowledged by the U.S. Department of Education in 2004. Unfortunately, news reports continue to indicate that the problem of both consensual and non-consensual inappropriate relationships and contact between staff and students persists. Both districts and the communities they serve have a sincere interest in protecting children; however, research suggests that there is a wide range in how districts are addressing this particular issue.

With the goal of gathering information to contribute to the agencies that support and inform districts, the purpose of this study is to:

explore current staff-training practices among school districts specific to the prevention of staff-to-student sexual misconduct and identify what, if any, barriers exist to providing this type of staff training.

Even those districts that do not conduct staff training specific to this topic play a valuable role in contributing to an overall understanding of the current landscape of training practices which can assist support agencies in better supporting districts.

**YOUR PARTICIPATION:** You are invited to participate in a brief survey that will take approximately 5 minutes to complete. By clicking on "NEXT" below, you give your consent to participate in the research study.

**NOTE:** Participation is voluntary. You may decide not to participate in this study. If you begin participation, you may still decide to stop and withdraw at any time and you may skip questions that you do not wish to answer. If you have any concerns about your selection or treatment as a research participant, please contact the Office of Research, Kepner Hall, University of Northern Colorado Greeley, CO 80639; 970-351-1910.

**CONFIDENTIALITY OR RISK:** The information collected will be kept confidential. No participant names or district names will be collected. Responses to job title, district, and region will be aggregated. No information



will be reported individually.

**BENEFIT:** Your participation will contribute to a more thorough understanding of current training practices pertaining to staff-to-student sexual misconduct, as well as possible barriers to training on this topic.

Please do not hesitate to contact me if you have questions about the research or your participation.

**RESEARCHER:** Mary Kirsten Lintz, Ph.D. student  
Phone: (999) 999-9999  
Email: [lint7029@bears.unco.edu](mailto:lint7029@bears.unco.edu)

**FACULTY ADVISOR:** Rashida Banerjee, Ph.D.  
School of Special Education  
University of Northern Colorado  
Phone: (970) 351-1184  
[Rashida.banerjee@unco.edu](mailto:Rashida.banerjee@unco.edu)

By clicking on “NEXT” below, you give your consent to participate in the research study.

---

Q21

For the purposes of this survey, the definition of staff-to-student sexual misconduct is taken from an original study funded by the U.S. Department of Education, which is “behavior by an educator [or other adult associated with school operations, such as a para-professional/classroom assistant, custodian, bus driver, volunteer] that is directed at a student and intended to sexually arouse or titillate the educator or the child”, including:

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

Internet, in writing or by phone; making suggestive comments; dating a student. (Shakeshaft, 2004, p.2)

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Q1 Thinking about your district, do staff receive training beyond a general overview of Mandatory Reporting that specifically addresses the issue of staff-to-student sexual misconduct?

- Yes (1)
- No (2)
- Don't know (3)

*Skip To: Q1a\_no If Thinking about your district, do staff receive training beyond a general overview of Mandatory Re... = No*

*Skip To: Q1a\_no If Thinking about your district, do staff receive training beyond a general overview of Mandatory Re... = Don't know*

Q1a What type of staff training is provided (check all that apply)?

- Online training mandated by school district (please provide title of training)  
(1) \_\_\_\_\_
- Face-to-face training by contracted provider, such as Colorado Department  
of Education or other provider (please provide name of training if known) (2)  
\_\_\_\_\_
- Face-to-face training by school employee, such as principal or administrator,  
with a component that focuses on employee to student sexual misconduct  
(3)
- Comments on policy at beginning of academic year and sharing of policy or  
materials (4)
- Other (please describe) (5)  
\_\_\_\_\_

Q1b To which staff-groups is staff-to-student sexual misconduct prevention training reaching? Please mark all that apply:

- Administrators (such as principals, vice-principals, directors, coordinators) (1)
- Human Resources personnel (2)
- General education teachers (3)
- Special education teachers (4)
- Direct student support staff (such as para-professionals/instructional assistants) (5)
- Related services (such as physical therapists, nurses, speech therapists, occupational therapists) (6)
- Indirect student support staff (such as office & custodial staff) (7)
- Volunteers (8)
- School board members (9)
- Other (10) \_\_\_\_\_

Q1c The training is:

- Optional (1)
- Mandatory (2)
- Other (3) \_\_\_\_\_

Q1d The training is offered/required (select the single answer that best applies):

- Upon hire (1)
- Annually (2)
- Other (3) \_\_\_\_\_

Q1a\_no Would you be interested in staff training specific to this topic for your district?

- Yes (1)
- No (2)

*Skip To: Q3 If Would you be interested in staff training specific to this topic for your district? = No*

---

Page  
Break

Q1b\_no Please indicate the groups you would like to have receive training (check all that apply):

- Administrators (such as principals, vice-principals, directors, coordinators) (1)
- Human Resources personnel (2)
- General education teachers (3)
- Special education teachers (4)
- Direct student support staff (such as para-professionals/instructional assistants) (5)
- Related services (such as physical therapists, nurses, speech therapists, occupational therapists) (6)
- Indirect student support staff (such as office & custodial staff) (7)
- Volunteers (8)
- School board members (9)
- Other (10) \_\_\_\_\_

Q2 In your opinion, what do you perceive as challenges to providing a staff training program specifically addressing the prevention of staff-to-student sexual misconduct (check any/all that apply):

- Acknowledging and attempting to address this issue specifically could result in backlash from the public (1)
- Staff-to-student sexual misconduct does not happen in our district (2)
- We would like to provide training on this topic, but aren't sure where to find training resources specific to this topic (3)
- Financial constraints limit trainings that we are able to provide (4)
- Time constraints limit trainings that we are able to provide (5)
- Other (6) \_\_\_\_\_

Q3 Given that there are tasks that are unique to serving students in special education, would you be interested in a sexual misconduct training specifically tailored for **special education staff**?

Yes (1)

No (2)

*Skip To: Q4 If Given that there are tasks that are unique to serving students in special education, would you be... = No*

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Page  
Break



Q3a Thinking about the goal of reducing/preventing staff-to-student sexual misconduct, please indicate your level of interest in each of the following aspects of training for **special education staff**: (Low, Medium, High)

	Interest level		
	low (1)	medium (2)	high (3)

Strategies for identifying signs of abuse, such as with students who are non-verbal and/or cognitively impaired (1)



Strategies for creating a school climate in which staff feel comfortable reporting concerns, knowing that an investigation will be handled responsibly and with discretion (2)



Classroom physical design strategies that can both reduce opportunity for staff-to-student sexual misconduct and also decrease staff vulnerability to false accusation (3)



Writing Individual Education Plan (IEP) goals that address students' ability to



identify and/or report unwanted behavior (by staff and/or peers) (4)

Strategies for modifying student reporting information at levels that students who are non-verbal and/or cognitively impaired can access (5)

Strategies for supporting parents of students with disabilities through increasing awareness of reporting procedures and general risk awareness (6)



Q3b I feel the best delivery method for a staff training for **special education staff** that would best fit with my district's needs would be:

- A 20-minute online training video that staff access individually and their completion is logged for district records (1)
  - An hour long video with scenarios that staff groups could watch together, followed by discussion prompts and a worksheet with open-ended questions about the topic for them to complete and could be included in their employee file as evidence of training completion (2)
  - A 2-hour long face-to-face training with certificate of completion; attendance is logged for district records (3)
  - Other (please describe): (4)
- 

Q3c Please indicate the frequency you would like to offer this type of training to special education staff:

- Once, upon hire (1)
  - Annually (2)
  - Other (please describe): (3)
- 

---

Page  
Break

Q4 I feel my level of knowledge pertaining to the topic of staff-to-student sexual misconduct in schools is:

- High (1)
- Moderate (2)
- Low (3)

Q20 Please select the most appropriate title for your position:

- Special Education Director (1)
  - Title IX Coordinator (2)
  - Other (3) \_\_\_\_\_
- 

Q21 Number of years in this position:

- 1-5 years (1)
  - 6-10 years (2)
  - 11-15 years (3)
  - 16-20 years (4)
  - 21+ years (5)
-

Q22 Your district's region in Colorado is:

▼ Central (1) ... Southwest (5)

---

Q22 Your gender

- Male (1)
- Female (5)
- Other (6)
- 

Q23 Please describe all license or certification that you have received relevant to your current job. (e.g. State Special Education Directors' license, Special Education Generalist License, Principal's license).

---

Q24 What is your highest degree?

- Bachelor's Degree (1)
- Bachelor's Degree with some Graduate Courses (2)
- Master's Degree (3)
- PhD or other terminal degree (4)
- Other (5)
-

Q25 Click Next to complete your survey or click on back to change any of your responses

End of Block: Block 1

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**APPENDIX E**

**SURVEY: SPECIAL EDUCATION DIRECTORS**



# Special Education Directors

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## Start of Block: Block 1

**Q19 PROJECT TITLE:** An Exploration of District Staff Training Practices on the Prevention of Staff-to-Student Sexual Misconduct in General and Special Education

**PURPOSE:** The problem of staff-to-student sexual misconduct was formally investigated and acknowledged by the U.S. Department of Education in 2004. Unfortunately, news reports continue to indicate that the problem of both consensual and non-consensual inappropriate relationships and contact between staff and students persists. Both districts and the communities they serve have a sincere interest in protecting children; however, research suggests that there is a wide range in how districts are addressing this particular issue.

With the goal of gathering information to contribute to the agencies that support and inform districts, the purpose of this study is to:

explore current staff-training practices among school districts specific to the prevention of staff-to-student sexual misconduct and identify what, if any, barriers exist to providing this type of staff training.

Even those districts that do not conduct staff training specific to this topic play a valuable role in contributing to an overall understanding of the current landscape of training practices which can assist support agencies in better supporting districts.

**YOUR PARTICIPATION:** You are invited to participate in a brief survey that will take approximately 5 minutes to complete. By clicking on "NEXT" below, you give your consent to participate in the research study.

**NOTE:** Participation is voluntary. You may decide not to participate in this study. If you begin participation, you may still decide to stop and withdraw at any time and you may skip questions that you do not wish to answer. If you have any concerns about your selection or treatment as a research participant, please contact the Office of Research, Kepner Hall, University of Northern Colorado Greeley, CO 80639; 970-351-1910.

**CONFIDENTIALITY OR RISK:** The information collected will be kept confidential. No participant names or district names will be collected.

Responses to job title, district, and region will be aggregated. No information will be reported individually.

**BENEFIT:** Your participation will contribute to a more thorough understanding of current training practices pertaining to staff-to-student sexual misconduct, as well as possible barriers to training on this topic.

Please do not hesitate to contact me if you have questions about the research or your participation.

**RESEARCHER:** Mary Kirsten Lintz, Ph.D. student  
Phone: (999) 999-9999  
Email: [lint7029@bears.unco.edu](mailto:lint7029@bears.unco.edu)

**FACULTY ADVISOR:** Rashida Banerjee, Ph.D.  
School of Special Education  
University of Northern Colorado  
Phone: (970) 351-1184  
[Rashida.banerjee@unco.edu](mailto:Rashida.banerjee@unco.edu)

By clicking on “NEXT” below, you give your consent to participate in the research study.

---

## Q21

For the purposes of this survey, the definition of staff-to-student sexual misconduct is taken from an original study funded by the U.S. Department of Education, which is “behavior by an educator [or other adult associated with school operations, such as a para-professional/classroom assistant, custodian, bus driver, volunteer] that is directed at a student and intended to sexually arouse or titillate the educator or the child”, including:

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

---

Q21 Do you serve more than one district?

- One (1)
- More than one (2)

*Skip To: Q1 If Do you serve more than one district? = One*

---

Q22 How many districts do you serve (numeric)?

---

Q23

Beyond an overview of Mandatory Reporting, thinking about your districts, in how many do staff receive training that specifically addresses the issue of staff-to-student sexual misconduct?

Number of districts (numeric) (1)

---

None (2)

I don't know (3)

*Skip To: Q1a\_no If Beyond an overview of Mandatory Reporting, thinking about your districts, in how many do staff r... = None*

*Skip To: Q1a\_no If Beyond an overview of Mandatory Reporting, thinking about your districts, in how many do staff r... = I don't know*

*Skip To: Q24 If Beyond an overview of Mandatory Reporting, thinking about your districts, in how many do staff r... = Number of districts (numeric)*

---

Q24 For the following questions, please respond thinking about a district you serve that you feel is the most comprehensive in it's training specific to the topic of staff to student sexual misconduct

Q1 Thinking about your district, do staff receive training beyond a general overview of Mandatory Reporting that specifically addresses the issue of staff-to-student sexual misconduct?

Yes (1)

No (2)

Don't know (3)

*Skip To: Q1a\_no If Thinking about your district, do staff receive training beyond a general overview of Mandatory Re... = No*

*Skip To: Q1a\_no If Thinking about your district, do staff receive training beyond a general overview of Mandatory Re... = Don't knowQ1a What type of staff training is provided (check all that apply)?*

- Online training mandated by school district (please provide title of training)  
(1) \_\_\_\_\_
- Face-to-face training by contracted provider, such as Colorado Department of Education or other provider (please provide name of training if known)  
(2) \_\_\_\_\_
- Face-to-face training by school employee, such as principal or administrator, with a component that focuses on employee to student sexual misconduct  
(3)
- Comments on policy at beginning of academic year and sharing of policy or materials (4)
- Other (please describe) (5)  
\_\_\_\_\_

Q1b To which staff-groups is staff-to-student sexual misconduct prevention training reaching? Please mark all that apply:

- Administrators (such as principals, vice-principals, directors, coordinators) (1)
- Human Resources personnel (2)
- General education teachers (3)
- Special education teachers (4)
- Direct student support staff (such as para-professionals/instructional assistants) (5)
- Related services (such as physical therapists, nurses, speech therapists, occupational therapists) (6)
- Indirect student support staff (such as office & custodial staff) (7)
- Volunteers (8)
- School board members (9)
- Other (10) \_\_\_\_\_

Q1c The training is:

- Optional (1)
- Mandatory (2)
- Other (3) \_\_\_\_\_

Q1d The training is offered/required (select the single answer that best applies):

- Upon hire (1)
- Annually (2)
- Other (3) \_\_\_\_\_

Q1a\_no Would you be interested in staff training specific to this topic for your district?

- Yes (1)
- No (2)

*Skip To: Q3 If Would you be interested in staff training specific to this topic for your district? = No*

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Page  
Break

Q1b\_no Please indicate the groups you would like to have receive training (check all that apply):

- Administrators (such as principals, vice-principals, directors, coordinators) (1)
- Human Resources personnel (2)
- General education teachers (3)
- Special education teachers (4)
- Direct student support staff (such as para-professionals/instructional assistants) (5)
- Related services (such as physical therapists, nurses, speech therapists, occupational therapists) (6)
- Indirect student support staff (such as office & custodial staff) (7)
- Volunteers (8)
- School board members (9)
- Other (10) \_\_\_\_\_



Q2 In your opinion, what do you perceive as challenges to providing a staff training program specifically addressing the prevention of staff-to-student sexual misconduct (check any/all that apply):

- Acknowledging and attempting to address this issue specifically could result in backlash from the public (1)
- Staff-to-student sexual misconduct does not happen in our district (2)
- We would like to provide training on this topic, but aren't sure where to find training resources specific to this topic (3)
- Financial constraints limit trainings that we are able to provide (4)
- Time constraints limit trainings that we are able to provide (5)
- Other (6) \_\_\_\_\_

Q3 Given that there are tasks that are unique to serving students in special education, would you be interested in a sexual misconduct training specifically tailored for **special education staff**?

- Yes (1)
- No (2)

*Skip To: Q4 If Given that there are tasks that are unique to serving students in special education, would you be... = No*

---

Page  
Break

Q3a Thinking about the goal of reducing/preventing staff-to-student sexual misconduct, please indicate your level of interest in each of the following aspects of training for **special education staff**: (Low, Medium, High)

	Interest level		
	low (1)	medium (2)	high (3)

Strategies for identifying signs of abuse, such as with students who are non-verbal and/or cognitively impaired (1)



Strategies for creating a school climate in which staff feel comfortable reporting concerns, knowing that an investigation will be handled responsibly and with discretion (2)



Classroom physical design strategies that can both reduce opportunity for staff-to-student sexual misconduct and also decrease staff vulnerability to false accusation (3)



Writing Individual Education Plan (IEP) goals that address students' ability to



identify and/or report unwanted behavior (by staff and/or peers) (4)

Strategies for modifying student reporting information at levels that students who are non-verbal and/or cognitively impaired can access (5)

Strategies for supporting parents of students with disabilities through increasing awareness of reporting procedures and general risk awareness (6)



Q3b I feel the best delivery method for a staff training for **special education staff** that would best fit with my district's needs would be:

- A 20-minute online training video that staff access individually and their completion is logged for district records (1)
  - An hour long video with scenarios that staff groups could watch together, followed by discussion prompts and a worksheet with open-ended questions about the topic for them to complete and could be included in their employee file as evidence of training completion (2)
  - A 2-hour long face-to-face training with certificate of completion; attendance is logged for district records (3)
  - Other (please describe): (4)
- 

Q3c Please indicate the frequency you would like to offer this type of training to special education staff:

- Once, upon hire (1)
  - Annually (2)
  - Other (please describe): (3)
-

Q4 I feel my level of knowledge pertaining to the topic of staff-to-student sexual misconduct in schools is:

- High (1)
- Moderate (2)
- Low (3)

Q20 Please select the most appropriate title for your position:

- Special Education Director (1)
  - Title IX Coordinator (2)
  - Other (3) \_\_\_\_\_
- 

Q21 Number of years in this position:

- 1-5 years (1)
  - 6-10 years (2)
  - 11-15 years (3)
  - 16-20 years (4)
  - 21+ years (5)
-

Q22 Your district's region in Colorado is:

▼ Central (1) ... Southwest (5)

---

Q22 Your gender

- Male (1)
- Female (5)
- Other (6)
- 

Q23 Please describe all license or certification that you have received relevant to your current job. (e.g. State Special Education Directors' license, Special Education Generalist License, Principal's license).

---

Q24 What is your highest degree?

- Bachelor's Degree (1)
- Bachelor's Degree with some Graduate Courses (2)
- Master's Degree (3)
- PhD or other terminal degree (4)
- Other (5)

Q25 Click Next to complete your survey or click on back to change any of your responses

End of Block: Block 1

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**APPENDIX F**

**SAMPLE E-MAIL TO PARTICIPANTS**

Dear Title IX Coordinator,

I am a special education doctoral student at the University of Northern Colorado with a background in school-based occupational therapy. I am writing to request your participation in a statewide survey of Title IX Coordinators and Special Education Directors for the purpose of better understanding Colorado school districts' training practices regarding prevention of staff-to-student sexual misconduct in schools.

This survey is completely confidential and **will require no more than 5 minutes to complete.**

My interest in this topic stemmed from an awareness of staff-to-student sexual misconduct as a continued and growing problem affecting districts, as reflected by the regularity of news reports. Your input is very important as currently little has been published regarding if/how districts are training staff on preventing staff-to-student sexual misconduct; what barriers (if any) exist to training around this topic; and what level of interest districts have in a training specific to staff that work with students in special education.

By clicking the link below you will be directed to a Consent Form that also explains the purpose of this study, followed by a link to the survey. Responses will be kept confidential and participants will not be asked to provide their name or the name of their district; just title, years in your position, and general region.

[https://unco.co1.qualtrics.com/jfe/form/SV\\_bJ8LXCorL7AE5WB](https://unco.co1.qualtrics.com/jfe/form/SV_bJ8LXCorL7AE5WB)

This questionnaire will yield information that can help agencies that support districts better understand Colorado's training needs and preferences. A follow-up email with summarized results and existing training resources will be sent to all invitees at the conclusion of the study.

If you have any questions or concerns, please contact me directly at [lint7029@bears.unco.edu](mailto:lint7029@bears.unco.edu). Thank you so much for your participation and for contributing to this important research.

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