

EXECUTIVE SUMMARY

A CASE STUDY OF K–12 SCHOOL EMPLOYEE SEXUAL MISCONDUCT: LESSONS LEARNED FROM TITLE IX POLICY IMPLEMENTATION

About this Study

This qualitative case study includes a purposeful sample of five geographically and demographically diverse districts that experienced an incident of school employee sexual misconduct in 2014.

The six major goals for this study included: 1) identifying formal and informal district- and school-level policies and prevention efforts, 2) determining how education actors and county officials defined, interpreted, and implemented school employee sexual misconduct policies before and after incidents, 3) identifying loopholes in districts' current policies, 4) determining challenges and limitations of current policies, 5) determining best practices for school employee sexual misconduct prevention and reporting, and 6) disseminating findings to school administrators, community members, policymakers, and legislators.

Findings were generated from 92 participants through 41 interviews, 10 focus groups, and document and policy review; the study was executed from January 2016 to September 2017.

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An estimated 10% of K–12 students will experience sexual misconduct by a school employee by the time they graduate from high school. Such misconduct can result in lifelong consequences for students including negative physical, psychological, and academic outcomes. To prevent incidents from occurring, school districts are tasked with complying with Title IX, a federal law that provides guidelines for prevention efforts and responses to school employee sexual misconduct in K–12 schools. Key elements of Title IX guidance include requirements for 1) comprehensive policies and procedures, 2) prevention efforts, 3) training for staff, students, and parents, 4) timely reporting, 5) thorough and coordinated investigations, and 6) effective response. Taken together, these six elements are intended to reduce the risk of school employee sexual misconduct and eliminate mismanagement of cases when misconduct does occur. The purpose of this study is to examine Title IX policy implementation in school districts that experienced a case of school employee sexual misconduct in 2014.

After experiencing incidents of school employee sexual misconduct school district participants in this study reported reformulation of some policies and procedures to address gaps highlighted by the incidents and improvements in awareness, communication, and district leadership. Although participants reported improvements, a lack of understanding and various challenges and fears continued to affect school district policy development and implementation in spite of Title IX requirements. Districts in this study lacked one or more of the key elements of Title IX; the study identified gaps in policies with regard to 1) having comprehensive policies and procedures, 2) providing trainings for staff, students, and parents, and 3) properly responding to and investigating cases. Participants reported various challenges that affected their implementation of the key elements of Title IX, including district budget limitations, low parent engagement, fear of the consequences of reporting, and poor responses by criminal justice and child welfare agencies.

To prevent or respond effectively to incidents, participants recommend that districts 1) be proactive, 2) develop clear and comprehensive policies and procedures, 3) improve communication about policies and procedures, 4) offer annual in-person staff, student, and parent trainings, 5) have clear guidance for reporting procedures, 6) develop protocols and checklists, 7) establish accountability measures, 8) have strong leaders communicate and enforce policies and procedures, and 9) develop collaborative relationships with criminal justice and child welfare agencies.

Researchers recommend that school districts review their policy and implementation efforts to determine if they are compliant with the key elements of Title IX guidance. Researchers also recommend that the federal and state departments of education establish accountability measures to track policy implementation and ensure school districts comply with Title IX guidance and provide high-quality low-cost training options. Further examination of prevalence data, victim and offender characteristics, effects on victims and school communities, criminal justice responses, and the effectiveness of prevention efforts are also recommended.