


TEXAS


EDUCATORS'

ETHICS TRAINING

Confronting & Reporting

Borderline Behavior





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Purpose

Explore the responsibility of educators in identifying and reporting inappropriate behaviors.







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Stimulating Thinking

What is my role in reporting inappropriate behavior?





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Participants will

- identify lack-of-judgment decisions;
- identify responsibilities for reporting educator misconduct; and
- review and discuss district reporting policies that ensure a safe and ethical climate.



Caring and Committed Educators






Impact of Educator Misconduct










**What does
borderline
behavior
mean?**




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Video Scenario




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Video Scenario Debrief



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Keep me safe.



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A Common Occurrence

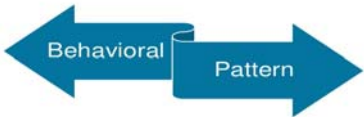
“When I talk to teachers in a school where an educator has been arrested, I hear admissions that they suspected something but, because they were not completely sure, did not want to say anything.”

(Shakeshaft, 2013)




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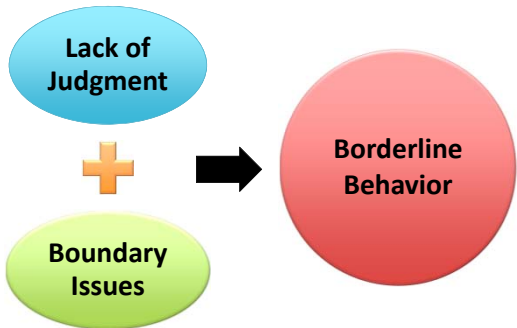
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Educators can confront misconduct, specifically sexual misconduct, in schools if they know how to recognize and respond to suspicious patterns.

(Shakeshaft, 2013)



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Lack-of-Judgment Pattern

⚠ CAUTION



**SLIPPERY
SLOPE**

- Don't initially set out to harm students
- End up in relationships with students to meet emotional needs


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The Slippery Slope

Voluntary statement given during investigation:

"Why did I act this way? I honestly don't know. I think it had a lot to do with two things: extreme loneliness and severe depression."

"Basically, I have no friends, certainly none in this town. This is probably the reason I'm so depressed. I started to feel closeness with her and was drawn to it. I don't know what I was thinking."



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Reporting is Everyone's Responsibility

"I typically remain in my classroom until 5:30 or 6 most afternoons to grade papers, gather lesson resources, etc.

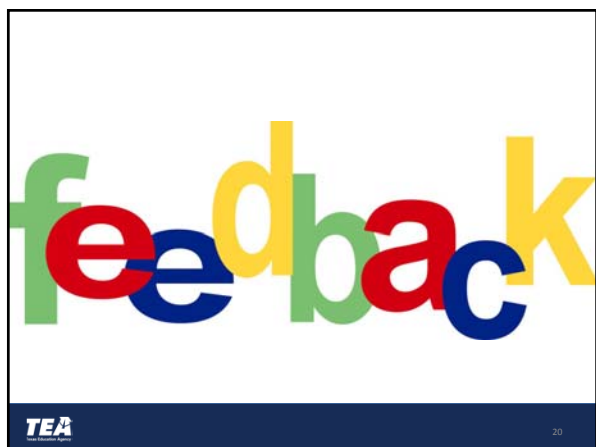
Walking to my car, I frequently observed a teacher leaning against her car engaged in conversation with one of my eighth-grade students. I often left feeling uneasy. It didn't appear appropriate for this teacher to be chatting with the student in this manner. Their proximity seemed flirtatious. Usually, there were only two cars left in the parking lot: mine and hers.

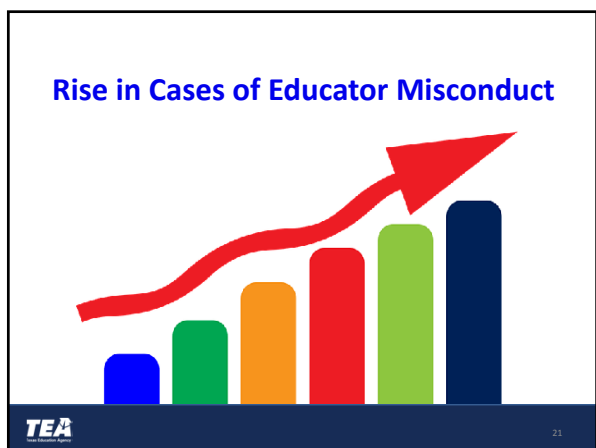
Two months later, the teacher was suspended for having an inappropriate relationship with the student. Ultimately, she lost her job, and the student transferred to another school. I should have reported what I had observed to my principal. Now it's too late."



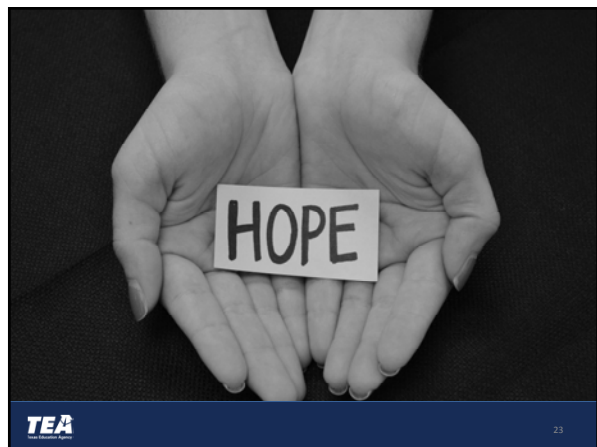
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| INVESTIGATIONS PENDING as of Sept. 1, 2017 | | | | | 1,198 |
|--|-----|-----|-----|-----|----------|
| INVESTIGATIONS OPENED | Q1 | Q2 | Q3 | Q4 | FY17 YTD |
| Number Opened: | 251 | 290 | 372 | 289 | 1202 |
| Percent Investigations Opened on a Report of Sexual Misconduct, Violence, Sexual Harassment or Inappropriate Relationship with a Student or Minor: | 80% | 53% | 64% | 56% | 59% |
| Opened by Case Code: | Q1 | Q2 | Q3 | Q4 | FY17 YTD |
| 1 - Sexual Misconduct | 25 | 21 | 41 | 24 | 111 |
| 2 - Violence | 67 | 62 | 85 | 64 | 278 |
| 3 - Drugs | 39 | 70 | 70 | 70 | 249 |
| 4 - Sexual Harassment | 2 | 8 | 3 | 0 | 13 |
| 5 - Official Misconduct | 2 | 0 | 4 | 6 | 12 |
| 6 - Fraud | 15 | 15 | 10 | 15 | 55 |
| 7 - Burglary | 5 | 3 | 3 | 2 | 13 |
| 8 - Theft | 19 | 17 | 18 | 14 | 68 |
| 9 - Hazing | 0 | 0 | 0 | 0 | 0 |
| 10 - Inapp. Rel. w Student/Minor | 56 | 64 | 109 | 73 | 302 |
| 11 - Miscellaneous | 20 | 28 | 29 | 20 | 97 |
| 12 - Failure to Report (249.14) | 1 | 2 | 0 | 1 | 4 |





Many students become victims of some type of educator misconduct.



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"If I reported and I was wrong, I would have ruined the life of another teacher."



(Shakeshaft, 2013)

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"If I didn't report and this person had abused, I'd have ruined the life of a student."



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How do I distinguish
between what is and
isn't a reportable
offense?



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Question to Ponder

Why do cases of educator misconduct go unreported?



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Findings

Reasons some educators give for not reporting
suspected educator misconduct:

- Lack of recognition of characteristics associated with inappropriate/abusive behavior
- Lack of awareness of legal responsibilities
- Fear of negatively affecting the school or educator's job



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Findings

Reasons some educators give for not reporting suspected educator misconduct:

- Lack of sufficient evidence
- Belief that the student will be harmed more than helped if reported
- Fear of retaliation and litigation

If you suspect or know something . . .



What do we need to know about the reporting process?



District Reporting Protocol

Report suspected incidents of educator misconduct to your administrator immediately.

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District Reporting Protocol

Follow district reporting policies and procedures to ensure all appropriate steps are followed.

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Supporting a Safe and Ethical Climate

- Provide awareness training.
- Follow through when confronted with questionable educator behavior.
- Strengthen policy guidance in identifying, reporting, and investigating incidents, if applicable.
- Enforce a zero tolerance policy regarding professional misconduct.

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Superintendent SBEC Reporting Requirements

Within **7** business days, a superintendent must report

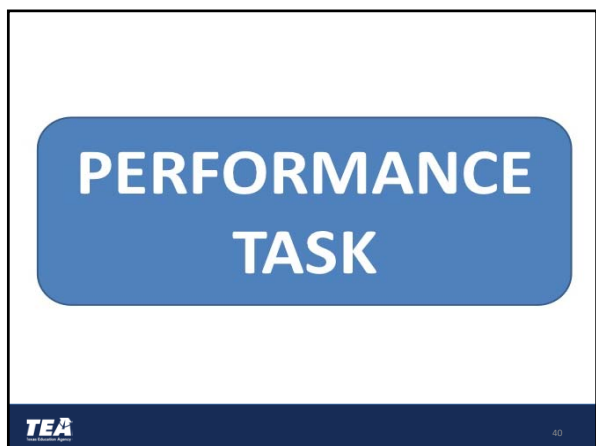
- educator misconduct that results in termination or resignation; and
- a reported criminal history of an applicant for or holder of a certificate or permit issued by SBEC.

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OUTCOMES

- ✓ Become knowledgeable about the importance of reporting requirements.
- ✓ Create a safe and ethical climate.
- ✓ Send a strong message that misconduct will not be tolerated.
- ✓ Trust your instincts

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References

- Hill, C., and Kearl, H. (2011). Crossing the line: Sexual harassment at school. *American Association of University Women*. Retrieved from <http://www.aauw.org/files/2013/02/Crossing-the-Line-Sexual-Harassment-at-School.pdf>
- Huffman, C., and Trahan, J. (2016, April). Texas system for reporting teacher sex allegations broken. *WFAA8 News*. Retrieved from <http://www.wfaa.com/news/local/investigates/texas-system-for-reporting-teacher-sex-allegations-broken/158756956>
- Pennsylvania Department of Education. (2016). *Pennsylvania Professional Standards and Practices Commission*. Retrieved from <http://www.pspc.education.pa.gov/Educator-Discipline-System-and-Reporting/Mandatory-Reporting/Pages/default.aspx>
- Shakeshaft, C. (2013, February). Know the warning signs of educator sexual misconduct. *Phi Delta Kappan*, 94(5), 8. Retrieved from http://www.doe.virginia.gov/support/prevention/child_abuse/sexual_misconduct_warning_signs_shakeshaft.pdf
- Shoop, R. (2003). *Sexual Exploitation in Schools: How to Spot it and Stop It*. California: Corwin Press.
- Shoreline School District. (n.d.). *Protocol in Dealing with Inappropriate Behavior*. Retrieved from <http://www.shorelineschools.org/cms/lib011/WA02217114/Centricity/Domain/93/InappropriateBehaviorProtocol.pdf>
- Texas Education Agency. (2016). *Educator Discipline - FAQs*. Retrieved from http://tea.texas.gov/Texas_Educators/Investigations/Educator_Discipline_-_FAQs/

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References

- Texas Education Agency. (2016). *Superintendent Reporting - FAQs*. Retrieved from http://tea.texas.gov/Texas_Educators/Investigations/Superintendent_Reporting-FAQs/
- United States Department of Education. (2008). Educator sexual misconduct: What school staff need to know and do. *Helpful Hints For School Emergency Management*, 3(2). Retrieved from http://nems.ed.gov/docs/HH_Vol3Issue2.pdf
- Weiss, J. (2015, August). Reports of inappropriate teacher-student relationships still low but on the rise in North Texas. *The Dallas Morning News*. Retrieved from <http://www.dallasnews.com/news/local-news/20150825-latest-cases-once-again-put-spotlight-on-problem-of-inappropriate-teacher-student-relationship-ecce>

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