

NINE WAYS TO EXAMINE SEXUAL MISCONDUCT IN K-12 SCHOOLS

From Juan Perez Jr. and Jennifer Smith Richards of the Chicago Tribune

To understand how often Chicago Public Schools students were victims of sexual assault or abuse in their schools and to identify school employees who abused students, Tribune reporters gathered data from the Chicago Police Department, records from arrests and criminal trials, filings and transcripts from civil lawsuits, tort and lawsuit payments by the school district, disciplinary records from the Illinois State Board of Education and files from employee dismissal hearings.

You can put similar tactics to work in your own newsrooms.

But data sets, laws and policies can vary across jurisdictions. So instead of offering an overly specific checklist that may not apply to your area, we've set out to establish some guidelines you can use to help document the scope of the problem in your schools.

1. Start with police records. **How do your local areas track law enforcement responses?**
 - a. Determine how you can access raw police response data via public records requests – or ask for summaries of when law enforcement responded to a school building to investigate reports of crimes.
 - b. You know the addresses of your schools; check to see when police were called to those locations to investigate sex crimes committed against minors.
 - c. **Pursue the underlying police reports for each incident.** What do officers' narratives say about the earliest stages of an investigation?
2. Then, scour court records. Police sometimes don't respond directly to sexual abuse calls, but adults often eventually file civil lawsuits. **Has your school district, school board or state education authority been sued at the local or federal level for its response to incidents of sexual misconduct?**
 - a. Find the plaintiffs. Find their attorneys. Talk to them.
 - b. Were civil cases settled? When? For how much?
 - c. Determine what documents or information might have been uncovered during the discovery portion of a given lawsuit.
 - d. Determine if your school system maintains a list of every lawsuit that it has settled. If so, think about how you can obtain it.
 - e. If your local school board must vote to ratify each lawsuit settlement it's presented with, compile those records.
 - f. Who testified in these cases? What did they say?
 - g. **Examine the criminal court cases of known offenders,** and look for details you can use in the records from adjudicated cases.
 - h. **Read through your local news clippings for details on cases that might have been overlooked, or could use a follow-up.**
 - i. Search for discernible patterns embedded in the allegations, or in a school system's responses to the allegations.
3. **Learn your school district's policies on reporting on-campus incidents involving discipline, sex-related incidents, notifications to child welfare authorities or other adverse events.**
 - a. Find out about the specific software or databases your school systems use to track on-campus incidents. Is it recent or widely adopted software? Is it outdated or does it lack functionality?
 - b. Ask your district for a clear understanding on the protocol for entering incidents into the system.

- c. Learn how events are categorized. Specifically, how are incidents of sexual abuse, harassment or misconduct coded into the system?
 - d. Do administrators and officials track or analyze incident reports for patterns and trends? If not, why?
 - e. If there's another method schools use to report these incidents, find out.
 - f. **Can you access the raw data via public records requests to look for patterns?**
4. Find out whether your state tracks **when and where educators' licenses are suspended or revoked** because of possible child abuse or neglect.
- a. Monitor educator retirements, resignations and terminations – but also termination appeals at the district or state level.
 - b. Some states require schools to report to the state education department if an educator resigns amid a termination threat, and this is a public record in some instances. **Learn how your state operates, and determine how often your state acts on such notifications.**
 - c. Are there disparities in the amount of reports submitted by individual school districts and licensure revocation actions taken by the state? Why?
5. **Examine every step of your school district's policy on background checks.**
- a. Find out if teachers and staff vetted on a recurring basis, or just when they are hired into your district.
 - b. Learn if the background checks account for past arrests, investigations with child welfare agencies, domestic relations, or out-of-state incidents.
 - c. **If you've spotted an educator who is accused of misconduct, see what you can find out about their criminal history. This should include dismissed charges, or incidents where someone pleaded to a lesser charge after being charged with a more serious crime. What do police reports about those past incidents tell you?**
 - d. Has your school district recently implemented changes to how it handles background checks? Why?
6. **Think about how your school district shares an educator's work history information with prospective employers.**
- a. Does your school district keep an internal 'Do Not Hire' list? Can you get ahold of it?
 - b. Does your school district sometimes negotiate settlements with accused educators to get them to resign in lieu of termination?
 - c. Does an educator have a history of bouncing from district to district? If you were to request an accused educator's employment file from past jobs, what might you find?
7. **Determine whether your school district has a standardized protocol it uses to investigate allegations of sexual misconduct.**
- a. Are these cases turned over to law enforcement? Does school district staff investigate cases? Outside contractors? A combination?
 - b. Are accused educators allowed to remain at their posts while complaints are investigated?
 - c. Do your schools notify parents when school workers are removed due to abuse allegations? Is there a standard practice?
8. **Check whether schools in your state or jurisdiction are subject to an investigation from the U.S. Department of Education's Office For Civil Rights.**
- a. <https://www2.ed.gov/about/offices/list/ocr/docs/investigations/open-investigations/tix.html>

- b. Most of these cases are settled quietly, but a surprising number of elementary and secondary education institutions across the United States have pending investigations into “sexual harassment” or “sexual violence.” This can help you determine if there are problems being scrutinized by the federal government.
 - c. Have you asked your local district for the notification letter it received from the federal government that announced an investigation – and copies of records turned over to federal investigators?
- 9. Identify what kind of Title IX infrastructure your school system has in place.**
- a. Who are the key Title IX personnel in your school system? What are their backgrounds?
 - b. What policies does your school system have to ensure it follows its Title IX obligations? How are staff members trained? How are those policies disseminated?
 - c. Does your neighborhood school principal know how to respond when a case of sexual misconduct arises?

This is by no means an all-encompassing list. Your creativity and on-the-ground knowledge are crucial to understanding how these issues impact your community.

We also encourage you to critique and review our work for more insight.

Visit our project site: chicagotribune.com/abuse

Learn more about our methodology: <https://trib.in/2yeh2Bs>

See more about the impact and reaction to our series, so far: <https://trib.in/2O4N3H2>

Good luck!

-Juan Perez Jr.

jjperez@chicagotribune.com

@PerezJr

-Jennifer Smith Richards

jrichards@chicagotribune.com

@jsmithrichards