

GAO Highlights

Highlights of [GAO-14-42](#), a report to the Ranking Member, Committee on Education and the Workforce, House of Representatives

Why GAO Did This Study

While all child abuse is troubling, sexual abuse by school personnel raises particular concerns because of the trust placed in schools. Federal laws prohibit sexual harassment, including sexual abuse, in federally-funded education programs and set minimum standards for state laws on reporting suspected child abuse.

GAO was asked to review efforts to address child sexual abuse by school personnel. GAO examined: (1) states' and school districts' steps to help prevent such abuse, (2) their reporting requirements and approaches for investigating allegations, and (3) federal agencies' efforts to address such abuse. GAO reviewed relevant federal laws, regulations, and guidance; surveyed state educational agencies in 50 states and the District of Columbia; and visited four states and six of their districts. States were selected based on actions taken in response to past allegations of abuse. GAO interviewed state agencies, school districts, local law enforcement and child protective service agencies, and experts identified through a systematic literature review.

What GAO Recommends

GAO recommends that Education collaborate with HHS and Justice to compile and disseminate information to states; identify a way to track the prevalence of sexual abuse; and that Education also clarify and disseminate information on how Title IX applies to personnel-to-student sexual abuse in the K-12 setting. Education and HHS provided technical comments and Education concurred with our recommendations. Justice had no comments.

View [GAO-14-42](#). For more information, contact Kay Brown at (202) 512-7215 or brownke@gao.gov.

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CHILD WELFARE

Federal Agencies Can Better Support State Efforts to Prevent and Respond to Sexual Abuse by School Personnel

What GAO Found

To help prevent the sexual abuse of students in public K-12 schools, 46 of the 50 states and the District of Columbia surveyed by GAO required background checks of applicants—such as teachers or bus drivers—seeking public school employment; however, the methods and sources varied widely. Forty-two states established professional standards or codes of conduct for school personnel, and 22 of those included information on appropriate boundaries between personnel and students. Although experts view awareness and prevention training on sexual abuse and misconduct as another key prevention tool, only 18 states reported in the survey that they require school districts to provide this training. However, two of six districts GAO visited provided training to school personnel, volunteers, and students in response to prior allegations of sexual misconduct by school personnel. These trainings covered a variety of topics, including recognizing the signs of abuse and misconduct.

According to GAO's survey, 46 states have laws that require school personnel to report child sexual abuse and designate the agency that investigates reports (local law enforcement and/or child protective services (CPS)), and 43 establish penalties for not reporting. In addition, school districts may have their own policies, which can sometimes create challenges. For example, three of the six school districts GAO visited have policies requiring suspected sexual abuse or misconduct to be reported to school administrators. Local investigative officials reported that such policies can be confusing, as they imply reports should only be made to school officials. This can result in a failure to report to the proper law enforcement or CPS authorities and interfere with investigations. For example, in one case study GAO reviewed, administrators pled guilty to failure to report suspected sexual abuse of a student by a teacher, who was later convicted of ten counts of abuse. Further, state and local officials told GAO that because different agencies can be involved with investigating reports of alleged child sexual abuse or misconduct for different reasons, each of the agencies' particular goals may lead to potential interference with another agency's investigation. In three of the four states GAO visited, law enforcement and CPS had developed methods, such as memorandums of understanding, to minimize this potential conflict and share information and expertise to resolve cases.

Relevant programs at the Departments of Education (Education), Health and Human Services (HHS) and Justice (Justice) have supported state and local efforts to address sexual abuse by school personnel through limited training, guidance on boundary setting, and funding for collaboration among entities responding to allegations. Federal internal controls state that agencies should ensure there are adequate means of communicating with and obtaining information from external stakeholders who have a significant impact on agency goals. Yet, more than 30 of the states that GAO surveyed were not aware of available federal resources. No single agency is leading this effort, and coordination among federal agencies to leverage their resources and disseminate information to assist state and local efforts is limited. Further, the prevalence of this type of abuse is not known. Although several federal agencies collect related data, none systematically identify the extent of sexual abuse by school personnel, and efforts to address this data gap are limited. Finally, Education's regulations under Title IX of the Education Amendments of 1972 (Title IX) require schools to have procedures in place to protect students from sexual abuse by school personnel. However, local officials told GAO that Education's guidance was limited and they are unsure about how to apply these requirements to cases of adult-to-student sexual abuse in K-12 settings.