

Sex offenses by teachers stay secret in many cases

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SACRAMENTO - More than 300 California educators had their teaching licenses revoked or suspended because of sex-related offenses from 2001 through 2005.

But you can't tell that from the state's enforcement records - at least not those available to the public.

While some of the most egregious sex abuse is flagged, California law allows many offenses to remain confidential in education records, even when teachers go to prison and register as sex offenders.

The lack of information reflects a system for disciplining teachers that, across the country, is often shrouded in secrecy. That makes it difficult for states to share valuable information about errant teachers and allows some to find other jobs in the classroom.

In California alone, The Associated Press reviewed more than 2,000 cases in which teachers there were punished for misconduct. Among them were hundreds of cases classified as "general misconduct."

The case of Tanda Rucker, a former college basketball star who taught and coached girls basketball at Encinal High School near Oakland, was one of those.

After several teens each reported having a sexual relationship with Rucker, she pleaded no contest to 18 felony counts. She was sentenced to a year in jail and ordered to register as a sex offender.

Yet an official bulletin from California's Commission on Teacher Credentialing reported only that Rucker's teaching credential was revoked for misconduct under broad sections of state law that cover everything from theft to murder.

The AP's review found dozens of similar cases, often involving pleas of no contest, a common legal agreement that allows one to avoid a trial or civil liability, but still leads to conviction.

California law also bars the credentialing commission from revealing the reason teachers who plead no contest lose their licenses.

It's a dangerous loophole, says Assemblyman Todd Spitzer, R-Orange.

"There is the possibility that one of these people could move to another jurisdiction, most likely another state, and you wouldn't be able to find out their history," says Spitzer, a former prosecutor and high school English teacher.

Here's how it can happen: California submits information on teachers who lose their licenses to a national database. But because of California's law, the state only provides limited details. So officials in another state may find out that someone they want to hire had a problem in California, but it's nearly impossible for them to learn more from education records.

In some cases, school officials have only a one-year window to access California disciplinary records.

That came into play in 2002, after California granted a probationary license to Craig Kinder. He'd been forced out of a suburban St. Louis district amid accusations that he'd touched students inappropriately.

Kinder was acquitted on criminal charges - but California officials gave him a license only on the condition that he tell prospective employers about his past.

He didn't do that when he applied at California's Newport -Mesa Unified School District.

And by the time district officials figured out he'd lied, the state - and the very California agency that required Kinder to disclose his history - had sealed his disciplinary records.

That made it tough to fire Kinder, says Lorri McCune, then the district's assistant superintendent of human resources.

"This to me was a gross miscarriage of their responsibility," McCune says. "We had basically no recourse, which really made me sick."

Kinder eventually voluntarily surrendered his California license in 2003 after the Newport-Mesa district spent hundreds of thousands of dollars trying to force him out.

His attorney did not respond to messages left by The Associated Press.

The Los Angeles Unified School District doesn't maintain statistics on the number of teachers whose licenses were revoked or suspended because of sexual abuse.

While court records are public information, employee records kept by LAUSD are confidential.

"If a teacher is convicted of a sex offense, they would no longer be employed as a teacher," said Roger Buschmann, the district's head of human resources.

The perpetrators that the AP found across the country are everyday educators - teachers, school psychologists, principals and superintendents among them. They're often popular and recognized for excellence.

While some abused students in school, others were cited for sexual misconduct after hours that didn't necessarily involve a kid from their classes, such as viewing or distributing child pornography.

The overwhelming majority of cases the AP examined involved teachers in public schools. Private school teachers rarely turn up because many are not required to have a teaching license and, even when they have one, disciplinary actions are typically handled within the school.

Two of the nation's major teachers unions, the American Federation of Teachers and the National Education Association, each denounced sex abuse while emphasizing that educators' rights also must be taken into account.

"Students must be protected from sexual predators and abuse, and teachers must be protected from false accusations," said NEA President Reg Weaver, who refused to be interviewed and instead released a two-paragraph statement.

Kathy Buzad of the AFT said that "if there's one incident of sexual misconduct between a teacher and a student, that's one too many."

The United States has grown more sympathetic to victims of sex abuse over recent decades, but the problem continues because many Americans deny the problem, and even treat the abuse with misplaced fascination.

"It's dealt with in a salacious manner with late-night comedians saying 'What 14-year-old boy wouldn't want to have sex with his teacher?' It trivializes the whole issue," says Robert Shoop, a professor of educational administration at Kansas State University who has written a book aimed at helping school districts identify and deal with sexual misconduct.

"In other cases, it's reported as if this is some deviant who crawled into the school district - and now that they're gone, everything's OK.' But it's much more prevalent than people would think."

And in case after case the AP examined, accusations of inappropriate behavior were dismissed. One girl in Mansfield, Ohio, complained about a sexual assault by teacher Donald Coots and got expelled.

It was only when a second girl, years later, brought a similar complaint against the same teacher that he was punished.

And that second girl also was ostracized by the school community and ultimately left town.

Unless there's a videotape of a teacher involved with a child, everyone wants to believe the authority figure, says Wayne Promisel, a retired Virginia detective who has investigated many sex abuse cases.

He and others who track the problem reiterated one point repeatedly during the AP investigation: Very few abusers get caught.

They point to several academic studies estimating that only about one in 10 victimized children report sexual abuse of any kind to someone who can do something about it.

"They can't see what's in front of their face. Not unlike a kid in an alcoholic family, who'll say 'My family is great,'" says McGrath, the California lawyer and investigator who now trains entire school systems how to recognize what she calls the unmistakable "red flags" of misconduct.

But too often, problem teachers are allowed to leave quietly. That can mean future abuse for another student and another school district.

"They might deal with it internally, suspending the person or having the person move on. So their license is never investigated," says Carol Shakeshaft, a leading expert in teacher sex abuse who heads the educational leadership department at Virginia Commonwealth University.

It's a dynamic so common it has its own nicknames - "passing the trash" or the "mobile molester."

School officials fear public embarrassment as much as the perpetrators do, Shakeshaft says. They want to avoid the fallout from going up against a popular teacher. They also don't want to get sued by teachers or victims, and they don't want to face a challenge from a strong union.

While some schools and states have been aggressive about investigating problem teachers and publicizing it when they're found, others were hesitant to share details of cases with the AP - Alabama and Mississippi among the more resistant.

Associated Press Writer Robert Tanner and Daily News Staff Writer Naush Boghossian contributed to this report.