

Keeping sex out of education: Local schools seek ways to stop abuse of students - Delaware Newszap

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By Craig Anderson Delaware State News

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Delaware State News file photo

Former Caesar Rodney High School wrestling coach and physical education teacher Richard L. Howell is the latest educator to face accusations of an alleged relationship with a 17-year-old student.

By Craig Anderson
Delaware State News

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DOVER — The Jan. 14 arrest of a Kent County educator on charges related to an alleged sexual relationship with a student once again spotlighted schools and issues related to maintaining proper personal boundaries.

The fate of Richard L. “Dickie” Howell II, the Caesar Rodney High School wrestling coach and physical education teacher accused by the Delaware State Police, will be decided in the legal system; he is presumed innocent until proven guilty.

According to authorities in a news release distributed on the night of the arrest, preliminary investigation found that Mr. Howell allegedly was involved with a 17-year-old female at the school and his Wyoming home in a relationship spanning from as early as March 2014 to late December 2014.

According to an affidavit of probable cause filed by state police, investigation found that communication allegedly was conducted via telephone, voice and text messages. A short video and images allegedly were sent through text messaging, authorities said in court papers.

Fortunately, it’s highly likely that almost all school employees aren’t involved in improper relationships with students and never will be.

It seems there’s great public interest in the ones that are charged, however, based on websites dedicated to sharing the information, law enforcement news releases, online chatter, school response statements, groups dedicated to eradicating abuse and the often front page media coverage that follow an arrest.

The issues hardly are confined to Kent and Sussex counties, as an online search using the words “teacher



sex arrests” would indicate a wide array of alleged incidents nationally.

Three decades ago, public sensibilities were such that the tunes “Hot for Teacher” by Van Halen and The Police’s “Don’t Stand So Close to Me” with sexually tinged lyrics referencing fantasy-like involvement between adult educators and juvenile students were popular enough to zoom up the Top 40 charts.

These days, school leaders, the Delaware Attorney General’s office, police and activists are investigating cases and/or promoting vigilance when it comes to stopping the incidents through training, awareness and cooperation between all interested parties.

According to former United States Department of Education Chief of Staff Terry Abbott, review of media reports nationwide found 781 reported cases of school employees accused/charged or convicted/sentenced for inappropriate relationships with students.

The unscientific findings were cataloged by Mr. Abbott’s Drive West Communications firm, and found that Delaware ranked No. 14 per capita for issues in 2014 with three cases. Alabama led the nation per capita, while Texas had the most cases with 116.

Mr. Abbott was staggered by the findings and described an average of 15 cases per week nationally as “troubling.”

“I knew there was a problem, but was stunned by the extent of the problem,” he said. “That was the same reaction of educators I’ve talked to.

“When we learn that we have an average of 15 cases a week we know we have a crisis on our hands and have to deal with it.

“All school leaders I know realize that it happens from time to time, but don’t typically look around to see how much it’s happening around the nation.”

The turn of the new year isn’t starting off well and is on an early pace to shatter last year’s average, Mr. Abbott said.

“Already in the first 22 days of 2015, we’ve tracked 77 cases of school employees who have been accused or convicted or sentenced for inappropriate relationships with students across the country — more than three cases a day,” he said.

“At that rate, the U.S. would have more than 1,200 cases this year, which would be a huge increase from just last year.”

In 2014, Mr. Abbott said he found social media to be a “huge factor” when it came to inappropriate relationships.

“In 38 percent of the cases we tracked, teachers and other school employees used social media access to individual students to lure those students into sexual relationships or to further the relationships.”

CR’s response

Queried by the local media about issues related to alleged sexual misconduct issues this week, the Caesar Rodney School District cited an ongoing investigation as reason not to comment.

Through a district spokesman, though, the district provided comments it said Superintendent Dr. Kevin Fitzgerald made at last Tuesday's school board meeting:

"We are shocked and saddened by the information that we received last week from the state police," Dr. Fitzgerald said.

"I do not believe that anyone will ever understand or be able to explain why anyone would ever do the things that were alleged.

"I do know that we have over 620 dedicated teachers in this district that do an outstanding job working with and caring for our children. Our concern is with the health and well-being of the (alleged) victim, the members of the wrestling team and our entire student body.

"Counseling has been made available and we are looking into other supports as needed. We do have a mental health counselor available in our wellness center. ..."

At the meeting, Dr. Fitzgerald noted that the wrestling season would continue under the direction of Chris Harris as interim head coach and two former assistants who have rejoined the program — Paul Collier and Darrell Gravatt.

Attempts to reach school board members for comment were unsuccessful.

Since 2012, three Caesar Rodney School District teachers have been arrested on sex-related charges, with another case occurring in 2004.

School districts focused

Local school district officials said this week that they regularly work to avoid possible incidents that can produce victimized students, and employees with wrecked careers and who perhaps are incarcerated.

The Polytech School District requires all employees to sign and date a Code of Conduct they are required to follow, which includes, "Avoid socializing with students, or assuming the role of becoming a student's friend."

Also included are edicts to avoid isolated one-on-one contact with a student, and refrain from communicating with any student via electronic devices, and through social media websites and blogs.

There's also an expectation to report to a supervising administrator any reasonable suspicion of abuse of a student, or an employee's inappropriate interaction with a student, according to the Code of Conduct.

"All employees received training on these expectations," Polytech Superintendent Dr. Deborah Zych said.

If matters do arise, Dr. Zych said, "Each case is handled individually. Based on the case, there are a variety of disciplinary actions that can be administered, based on the severity and circumstances of the case."

In a stretch of just over a year ending in February 2013, three Sussex Tech High School employees were arrested after sexual-related allegations regarding student relationships.

Superintendent Dr. A.J. Lathbury said changes made "were primarily procedural and reviewed to ensure (added rigor in administering policies)."

Thus, Dr. Lathbury said educating both staff and students is key to avoiding potential improper relationships. In-service sessions for staff reference acceptable behavior (professionalism), harassment and sexual misconduct, he said.

Students are exposed to similar topics through in-person presentations, group settings, broadcast and various media, Dr. Lathbury said.

There's an expectation of "virtually immediate police contact once apprised of an alleged violation," Dr. Lathbury said. The district is committed to working closely with police as an investigation begins, he said.

Hiring practices became more intensive "by more extensive pre-screening, deeper reference checks, federal/state background checks, etc," according to Dr. Lathbury.

Sussex Tech can only go so far in applying and reinforcing its policies to provide a safe, nurturing and positive learning environment, officials said; eventually, adults who have received regular training make their own final decisions on conduct with students.

"Unfortunately, no entity can be responsible for individuals making inappropriate or bad decisions," Dr. Lathbury said.

"At some point, individuals are responsible for the decisions they make. It is our job as a district to try to minimize the risk to all parties involved."

Investigation details

The Delaware Attorney General's Office handles misconduct cases through Sex Crimes Units in each county. Prosecutors generally handle just sex crimes investigations and homicides, officials said.

Spokesman Carl Kanefsky said the office has not seen any trend regarding the matter. "We investigate every case we become aware of," he said.

The statute of limitations on sexual misconduct crimes was removed in 1992, officials said.

Adults within a school are legally obligated to report suspicion of child abuse, through Title 16 Chapter 9 in the Delaware Code. The law also applies to, but not limited to, physicians and anyone else rendering aid in the medical field, dentists, nurse, law enforcement personnel, nurses, social workers and psychologists, among others.

Misconduct cases are complex, Mr. Kanefsky said, compared to other investigations involving assault, burglary, theft and other crimes.

"They are more complex in that they generally rely on the word of the victim against the word of the accused," he said. "There's often not a lot of corroborating evidence.

"There may sometimes be DNA or other evidence, including video or phone evidence."

Sexual abuse of a child by a person of trust authority or supervision charges are considered violent felony offenses from Class B to G in Delaware Code, and can bring prison time according to the Delaware Sentencing Accountability Commission. Life sentences are possible with Class A offenses.

There's high priority placed on protecting children, the Attorney General's office said.

“The safety of all Delawareans, and especially our children, is vitally important,” according to Mr. Kanefsky.

“When someone violates a position of trust or authority, and takes advantage of a child, it’s extremely disturbing.

“We are committed to bringing these people to justice, through the work of our Child Predator Task Force, and in assisting in investigations conducted by other law enforcement agencies.”

Cooperative administration

Typically, school administrators are cooperative during investigations said Mr. Kanefsky. “They have to be as required by law.”

State police agreed on the positive assistance received from administrators.

Some incidents alleged are one-time affairs, the Attorney General’s office said, while others may be longer, more sustained relationships.

“There is no consistent amount of time for this,” Mr. Kanefsky said.

Also, widespread knowledge of a possible ongoing improper relationship varies from case to case and there’s no regularity in cases that come to the AG.

Student victims/minors are no less reliable sources of information than any other victim or person, the AG said.

The Delaware State Police said talk from a student often sparks an investigation after the information is forwarded to authorities.

“Typically the investigation begins when a student informs a friend or family member, who in turn, notify us directly,” spokesman Master Cpl. Gary Fournier said.

“It is not uncommon for the victim to disclose the information to a school counselor, who will then contact a school administrator.”

Detectives assigned to the Major Crimes Unit within the Criminal Investigations Unit take sexual misconduct-related cases.

State police had advice for parents on how to avoid potential problems.

“Monitor your children’s social media networks and cellular activity, such as text messages and photos,” Cpl. Fournier said.

Cpl. Fournier said that text messages are key contributors to an investigation once allegations come to light.

To avoid problems that come with improper relationships, Cpl. Fournier advised that school districts, “Reiterate to the staff through in-service programs about the implications it could have on them if they were to get involved with a student.”

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