

HB 128 - School Personnel Background & Training Dealing with Stopping Educator Sexual Abuse, Misconduct, and Exploitation of Students

Patrick Sandoval
Interim Executive Director

Julie Garcia
Regional Director

Martin Esquivel
General Counsel

Sexual Molestation and Inappropriate Touching Claims

- ❖ 1987 – 1999 69 Claims
- ❖ 2000 – 2010 100 Claims
- ❖ 2011 – 2020 95 Claims
- ❖ \$30 million expensed over last 5 years
- ❖ Sexual Abuse and Molestation Student cases (SAMS) are high dollar cases
- ❖ SAMS cases get a lot of media attention
- ❖ Create negative exposure for districts and charters
- ❖ It pays to be proactive and implement programs, policies, procedures, and training
- ❖ HB 128
- ❖ Boundaries Policies
- ❖ Vector Solutions – Safe Schools

Effects of Sexual Molestation and Inappropriate Touching

- ❖ Angry Outburst
- ❖ Anxiety
- ❖ Depression
- ❖ Eating Disorders
- ❖ Localized Pain
- ❖ Mental Health
- ❖ Mood swings
- ❖ Paranoia
- ❖ Panic Attacks
- ❖ Persistent Fear
- ❖ Physical Health
- ❖ Phobias
- ❖ Sleep Disorders
- ❖ Suicide
- ❖ Substance Abuse
- ❖ Victim Becomes the Abuser

HB 128: SCHOOL PERSONNEL BACKGROUND & TRAINING

HB 128

Written to help with the prevention of:

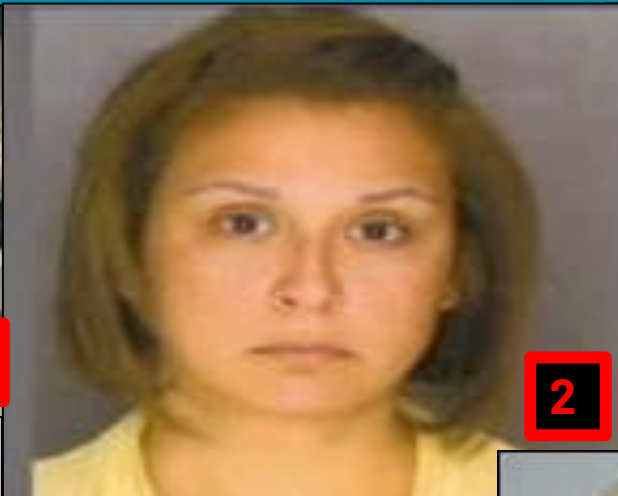
SAMS –Sexual Abuse and Molestation of Students

Alleviate - Passing the trash – legislation required by ESSA

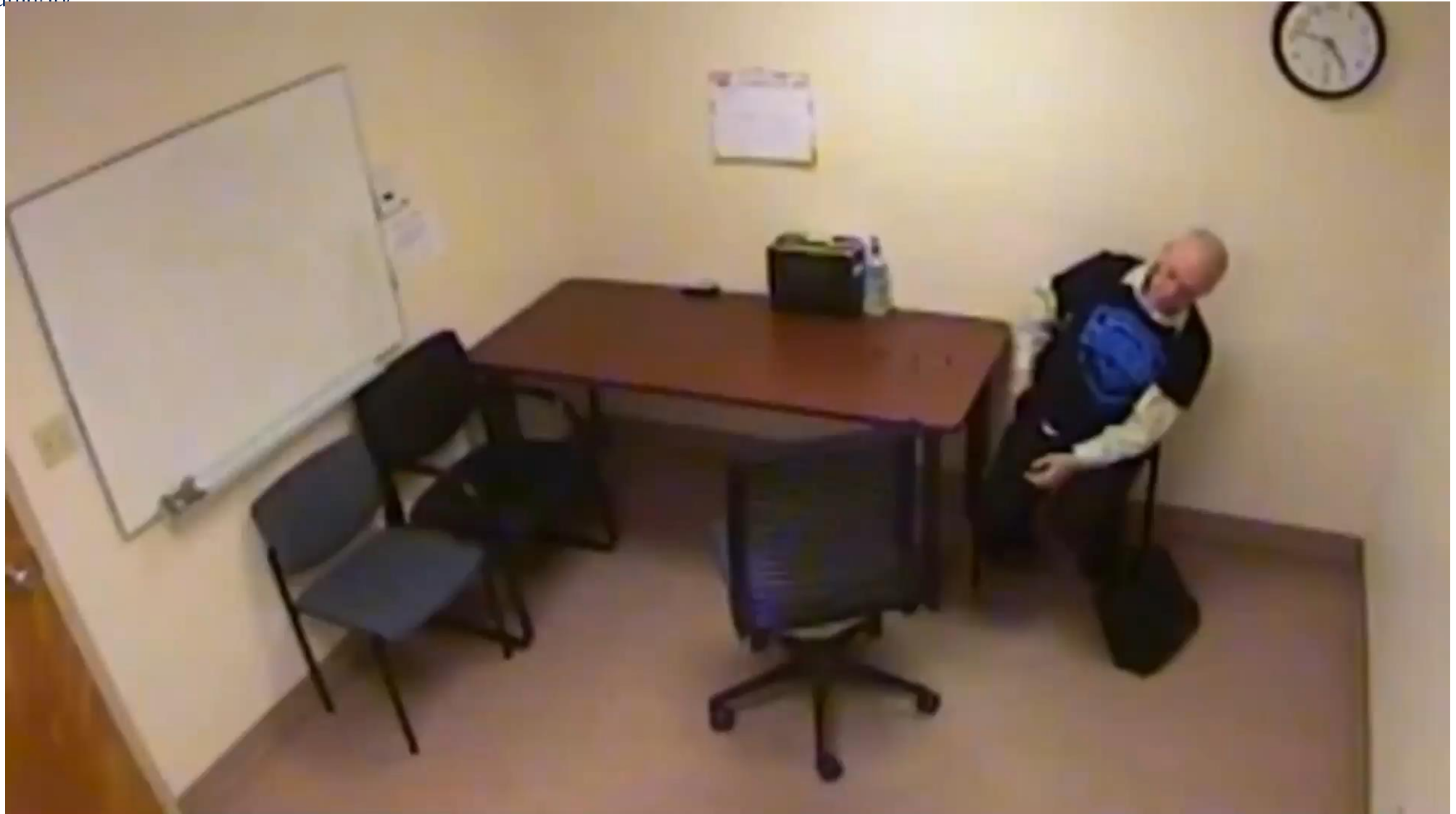
New

- ❖ Definition of Ethical Misconduct
- ❖ New application questions, a complete list of former employers and necessary waiver language
- ❖ New list of mandatory reporters and new lines for reporting
- ❖ New training requirements
- ❖ New investigation requirements
- ❖ Deletion of information sharing restrictions that can be shared with future employers

Can you identify the sexual predators?







Gary Gregor - 114 years in prison after being convicted of raping and abusing girls at an Española and Santa Fe elementary schools

Behaviors first documented in 1994

Utah and Montana, accused of sexual misconduct with elementary-aged students. Termination in Utah stated he lacked professional judgment.

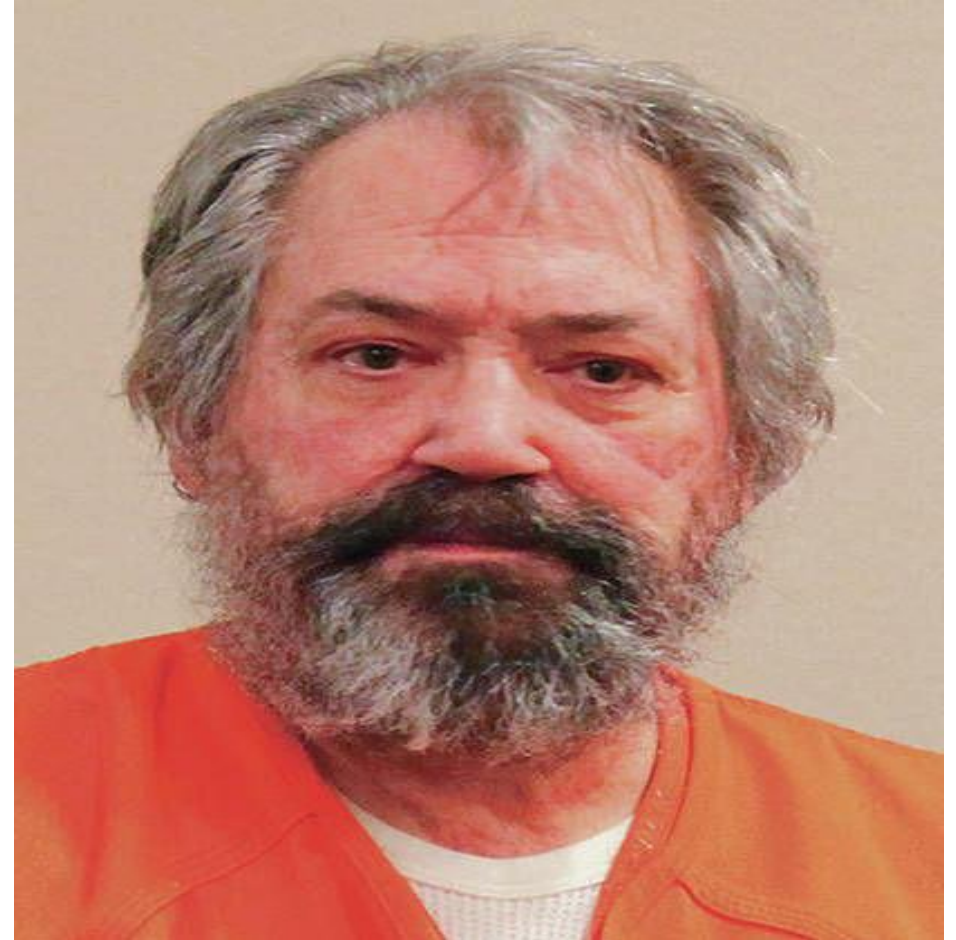
To Santa Fe Public in 2000.

In 2004, an employee at the Museum of International Folk Art notified the district that a museum docent had seen Gregor exhibit inappropriate behavior with a student during a field trip.

Investigator corroborated accusations of inappropriate physical contact between Gregor and his female students. Gregor resigned and was given a neutral recommendation by the district.

Hired by Española Public Schools for the 2004-05 school year.

A Fairview Elementary School parent reported Gregor to the Española Police Department in April 2009, saying daughter had been sexually abused by Gregor.



Cost of one Predator to NMPSIA

- ❖ Claims exceed \$35.5 million
- ❖ His criminal case from his tenure at Espanola resulted in a 114-year prison sentence
- ❖ Still facing charges for his involvement while employed at Santa Fe

Risk Management Recommendation Educator Misconduct Boundaries – Step One HB 128 – Step Two Board Policy – Step three

- ❖ Enforce Boundaries Policy – stop Grooming behaviors
- ❖ Questions regarding past conviction or investigations
- ❖ Includes licensed, non -licensed, volunteers, and contractors
- ❖ 30,000 - 40,000 sets of trained eyes watching, mandatory reporters
- ❖ Records of complaints and data base of investigations
- ❖ Passing the trash restrictions

This Could Happen to You

Teacher A notices Male Teacher B having a rather friendly relationship with Female Student C who is a junior in high school. Teacher A has no hard evidence of an inappropriate relationship but senses it may be inappropriate given the body language between both which includes hugging and some flirtatious behavior. In a conversation with other female students, Teacher A is told by the other students that Female Student C gets a lot of attention from Teacher B and they usually spend the lunch hour together in Teacher B's classroom. One student mentions that Teacher B and Student C text each other a lot, but don't know what is in those texts. Feeling like she does not have enough evidence, she does nothing.

Months later, the parent of Female Student C finds text messages with Male Teacher B, confronts her daughter who reluctantly admits she's been having an emotional and sexual relationship with him.

The District gets sued. The lawyer representing Female Student C's family takes the deposition of the Board member to demonstrate the lack of policies in effect at the time.