

EDUCATOR SEXUAL MISCONDUCT: AN EXAMINATION OF SANCTION
DISPARITIES AMONG TEXAS FEMALE AND MALE EDUCATORS

by

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DEDICATION

This thesis work is dedicated to my nani, Rezia Begum,
who showed me unconditional love.

إِنَّا لِلّٰهِ وَإِنَّا إِلَيْهِ رَاجِعُونَ

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LIST OF ABBREVIATIONS

Abbreviation	Description
CSA	Child Sexual Abuse
FBI	Federal Bureau of Investigation
ESM	Educator Sexual Misconduct
TEA	Texas Education Agency
PIR	Public Information Request
SEXMIS	Sexual Misconduct
IRWSM	Inappropriate Relationship with a Student or Minor

ABSTRACT

While educator sexual misconduct (ESM) has garnered much attention in the media, there have only been a few empirical studies conducted on this topic. Information is limited because of a lack of standardized reporting policies and limited access to such data. Moreover, research on ESM has largely focused on male offenders, making it difficult to assess the sanction differences by sex. Therefore, sanction disparities between females and males who are accused of ESM are assessed in this research using data from the Texas Education Agency (TEA) database. It is hypothesized that female educators will have been given more lenient sanctions than male educators for having engaged in the same types of acts with students, whereby the findings of this research will show more support for the chivalry hypothesis than the evil women hypothesis. The results, however, indicate that there were no statistically significant differences between the sanctions of female and male educators accused of ESM.

Keywords: educator sexual misconduct, sex (male/female), sanctions, disparities

I. INTRODUCTION

The scope of child sexual abuse is immense: 1 in 4 girls and 1 in 13 boys in the United States are victims of child sexual abuse (Center for Disease Control and Prevention [CDC], 2022). In the United States, the FBI reported in its National Incidence-Based Reporting System (NIBRS) that 127,261 sexual offenses in 2020 were known to law enforcement; among those, 25,751 involved victims younger than 10 years old (Federal Bureau of Investigation [FBI], 2020). Additionally, the 2020 National Crime Victimization Survey (NCVS) report found that approximately 319,950 respondents were victims of rape or sexual assault (Morgan & Thompson, 2021). This number is higher than what the FBI noted because the NCVS includes only individuals who are older than 12 years old, which may involve adult victims. These government reports provide some insight into how prevalent children are victimized in the

CSA in educational institutions is particularly problematic because parents entrust their children in the care of school officials (e.g., Jaffe et al., 2013; Shakeshaft, 2004). The safety of children is highly emphasized in society; however, it is not evident within schools because CSA preventative efforts are scarce (Shakeshaft, 2004). Furthermore, it is difficult to identify successful prevention programs because so few research studies have been conducted on CSA in schools. Nonetheless, efforts have been made to emphasize the importance of this topic (e.g., Abboud et al., 2020; Shakeshaft, 2004).

In 2019, female educators made up approximately 80.5% of all elementary and middle school teachers and 56.5% of secondary school teachers in the United States (U.S. Bureau of Labor Statistics, 2021). It is reasonable, therefore, to assume that the majority of educator sexual misconduct (ESM) offenders are female educators; however, this type

of act is often reported to be male perpetrated (Henschel & Grant, 2018; Shakeshaft & Cohan, 1994). For example, in 2019, 78.9% of arrests for violent offenses and 96.6% of arrests for rape involved male perpetrators (Federal Bureau of Investigation [FBI], 2019). Hence, most studies of crime focus on males. Nonetheless, among the studies that have focused on female perpetrators, it is often hypothesized that females are treated differently than males who commit the same offenses (e.g., Embry & Lyons, 2012; Shaw et al., 2020; Wilbanks, 1986).

When ESM does occur, it is typically handled within the school system and may not warrant responses from law enforcement. While much of the literature on ESM has concentrated on offender characteristics and perceptions of ESM, less is known about how persons accused of ESM are sanctioned once their actions are made known to their respective school district.

Within the criminal justice system, women and men often receive different sanction responses when they commit similar offenses (e.g., Shaw et al., 2020). Bontrager et al. (2013) conducted a meta-analysis to compare sentencing outcomes of women and men. They observed that women are afforded more leniency in terms of incarceration decisions and sentence lengths. In their analysis, the researchers noted there to be a gradual shift in sentencing outcomes over time. More specifically, Bontrager et al. (2013) noticed that sentencing differences between women and men were trending towards an equilibrium.

Child sexual abuse (CSA) results in many negative consequences (e.g., Banyard et al., 2001; Briere & Runtz, 1987; Davis et al., 2001; Dinwiddie et al., 2000; Easton et al., 2013; Fergusson et al., 1996; Finkelhor et al., 1989; Fleming et al., 1999; Maniglio,

2011; Nelson et al., 2002; Nielson et al., 2018; Kendler et al., 2000; Plunkett et al., 2001; Spataro et al., 2004; Swanston et al., 2003). The effects of CSA go beyond the physical nature of what the victims endure. For example, many victims develop serious drinking habits (Hernandez et al., 1993), including alcohol abuse (Davis et al., 2001).

Interpersonally, they often experience problems with intimacy and relationships (Roberts et al., 2004) and generally poor quality of relationships as adults (Davis et al., 2001). They often experience failed marriages as well (Finkelhor et al., 1989; Fleming et al., 1999).

Many victims experience mental health problems, such as depression, posttraumatic stress disorder, borderline personality disorder, conversion disorder, and a broad range of emotional disorders (Banyard et al., 2001; Chen et al., 2010; Davis et al., 2001; Hailes et al., 2019; Swanston et al., 2003; Yüce et al., 2015). Research has also shown they often experience dissociation (Banyard et al., 2001; Briere & Runtz, 1987), anxiety (Briere & Runtz, 1987; Spataro et al., 2004; Swanston et al., 2003). Furthermore, suicide attempts or thoughts of suicide occur at higher rates among CSA victim than those who did not experience CSA (Briere & Runtz, 1987; Easton et al., 2013; Maniglio, 2011; Plunkett et al., 2001). Unlike CSA, the ESM literature has not assessed long-term effects. Therefore, it is speculated that the negative effects associated with CSA may also translate over to ESM victims.

ESM, and its potential effects on victims, may be strengthened in a school environment that generates continuous opportunities for abuse. Those victimized are forced to engage with their abusers, whether it be educators, administrators, or other school officials. ESM may occur on frequent occasions, as attending school is mandatory.

If victims are absent from class, they are deemed truant and either they or their parents may be subjected to legal repercussions. In Texas, for example, a school district may recommend that a student or their parents attend court if suspected of truancy (Texas Education Agency, 2017). With this legal reprimand in place, victims are probably less likely to skip school and thus are more likely to remain in the same environment as their offender. The interactive space that an offender and victim continuously share may lead to further trauma, thus possibly affecting a student's grades, mental health, and future career.

Although children spend much of their time in school, there is little-to-no emphasis placed on handling ESM when it occurs. Therefore, there is a gap between examining ESM and implementing successful policies or statutes that keep children in schools safe, which can be fulfilled by conducting more research on this topic (Abboud et al., 2020). In addition, having available information on ESM will give parents, lawmakers, and school officials a reference in making future decisions for child safety. It is pertinent for scholars, then, to have easier access to such data because children spend most of their time in school under the supervision of officials responsible for their well-being.

Furthermore, identifying differences between female and male educators will contribute to the sparse literature. The current study seeks to test the assertion that females and males accused of ESM receive different sanctions. Such findings could have implications to inform school officials of their disciplinary protocols and be used to guide future decision-making when it comes to sanctioning those accused of ESM. Due to the dearth of information on ESM, the aim of this research is to minimize the research gap in

the literature by conducting an exploratory study regarding ESM sanctioning differences between female and male educators.

In the remainder of this chapter, ESM is broadly defined, and its prevalence is discussed. Reasons for failure to report ESM, schools' responses to ESM allegations, and its effects on victims will also be described. Chapter II consists of characteristics associated with ESM, typologies, and possible reasons for sanction differences by sex. Methods for this study and plan for statistical analyses are detailed in Chapter III. Chapter IV presents the results of the research. Discussion of the results and limitations of the study are presented in Chapter V.

Defining Educator Sexual Misconduct (ESM)

Researchers and practitioners define ESM differently (e.g., Abboud et al., 2020; Hernandez et al., 2020; Surface et al., 2014), making comparisons among various studies difficult. Cairns (2006) interviewed school principals on their understanding of ESM and how they define it. The responses ranged from being very inclusive, such as any verbal or physical action in a sexual manner, to only including sexual abuse. Generally, however, among those definitions it is agreed that ESM involves an action instigated by an educator towards a student with the goal of sexual arousal from either party (Morgenbesser, 2010). ESM, therefore, includes not only sexual offenses that are defined by state and federal laws, it also includes inappropriate interactions between educators/education staff and a student, such as boundary violations (i.e., flirting, social media contact, and inappropriate communication) (Surface et al., 2014). Furthermore, the persons accused of ESM are not just teachers, but can include coaches, administrators, and other support staff, such as teacher aides (West et al., 2010).

Prevalence of Educator Sexual Misconduct (ESM)

The true prevalence of ESM in the United States is unknown; however, in the available literature there are estimates of ESM among narrowly-defined samples. For example, the American Association of University Women (AAUW) (1993) surveyed 1,632 students from 8th through 11th grades from 79 schools across the United States and found that 81% have experienced sexual harassment in school. Of those, 25% of girls and 10% of boys were victims of ESM. A secondary analysis of the 1993 data from AAUW revealed that 9.6% of students reportedly experienced some form of sexual abuse by educators, in which 6.7% constituted as contact misconduct (Shakeshaft, 2003).

Another study that involved a sample of 185 college students regarding their high school experience reported that six percent were victims of inappropriate sexual behavior instigated by an educator (Corbett et al., 1993). More recently, in a study that surveyed 1,203 high school students regarding their perceptions of ESM two percent of respondents openly admitted to being in a sexual relationship with a teacher (Hernandez et al., 2020). The frequencies presented here vary considerably and mainly limits itself to self-report data, suggesting that a prevalence range (as opposed to an overall statistic) is most appropriate for capturing how often ESM occurs within the United States.

The Dark Figure of Educator Sexual Misconduct (ESM)

Sexual abuse is one of the most underreported crimes (Langton et al., 2012; Planty et al., 2013). Regarding CSA, the cases reported to authorities may be much lower. Londen et al. (2008) reviewed 13 studies regarding disclosure of CSA, in which their survey samples ranged from 41 to 4008 respondents. Within those studies, they had found CSA cases reported to the police ranged from 5% to 13%. As ESM is a type of

CSA, it is likely underreported as well. For instance, Shakeshaft (2004) conducted a further analysis of the AAUW 1993 data set and noted that among those who were victims of ESM, less than one-third had reported it to a school employee. Failure to disclose ESM, reporting inconsistencies among schools, and potential negative outcomes from reporting may be factors that underestimate the known prevalence of this type of misconduct.

Failure to Report Educator Sexual Misconduct (ESM) Victimization

A possible reason why the noted frequencies of ESM fluctuate so heavily may be because of a lack of victim outcry (Shakeshaft & Cohan, 1995). For example, Corbett et al. (1993) surveyed 185 college students on prior experiences and perceptions of just one aspect of ESM, sexual harassment by high school teachers. In their study, six percent admitted to ESM victimization, yet none of them ever reported it. Most of the respondents did not believe that ESM was a frequent issue, yet almost half of them were aware of such incidents that had occurred. Victims of ESM or those aware of these cases rarely report it to their school administrators. This is due to societal perceptions of ESM, code of silence in school, undeniable support for the accused, and grooming techniques of the abuser. In another study that surveyed 147 high school graduates, Wishnietsky (1991) documented 90 occurrences of ESM, though only seven students had reported the inappropriate behavior. Of those 90 occurrences, over half consisted of the educator making comments or gestures towards the student. These behaviors are minor, which may factor into why students do not report. The lack of victim outcry, however, likely affects the current understanding of how often ESM occurs.

Victims not coming forward about their abuse may be attributed to how society views cases of ESM, dependent on the sex of both parties. When the accused is female and the victim is male, researchers speculate that underreporting may occur because males have been conditioned to think that they should appreciate advances from an older female individual (Shakeshaft, 2004, 2013). An example of this viewpoint is found in a study where the researchers assessed over 900 internet comments from news articles regarding female teacher sex offenders. Their findings suggest that the public views male students incapable of being victimized when the offender is a female educator, as seen below:

17 year old men... yes men... and they cried over having sex with a teacher? Omg... I would have cheered... something is very, very wrong here,” “BS, he was willing and old enough... I am sure she did not rape him,” and “the guys LOVED it, I am sure. They are men, they loved getting some from the older woman. (Zack et al., 2016, p. 11)

Furthermore, some comments suggested that female teachers are unable to commit rape. Another common theme is that it is not rape if the male victims were capable to perform sexually. This is evident in one such comment:

If it was that traumatic, the kid couldn't have maintained an erection. No such thing as rape (I'm talking vaginal intercourse here) of a male by a female... everyone in their heart of hearts knows this is true (at least all the male readers do). (Zack et al., 2016, p. 11)

Regardless of whether the offender was female or male, others consider relationships between teachers and students as acceptable (Corbett et al., 1993). For example, Hernandez et al. (2018) surveyed 1,203 high school students in Texas regarding ESM and noted that male respondents were more likely than female respondents to consider sexual relationships between teachers and students as favorable. In general, their findings indicated that male respondents had tolerant views on whether they thought someone should face repercussions for committing ESM. In a later analysis, it was affirmed that male respondents had a more positive reaction than female respondents to sexual relationships between teachers and students (Hernandez et al., 2020). Other studies confirm that students perceive male teacher/female student ESM incidents less favorable (i.e., more serious) than those involving a female teacher/male student (see Dollar et al., 2004; Fromuth & Holt, 2001, 2008; Fromuth et al., 2016; Howell et al., 2011). Also, respondents perceived male teacher/female student dyads as those deserving more prison time (Fromuth & Holt, 2008). Based on these findings, the discrepancies in ESM perceptions seem to be contingent on the offender's and victim's sex. These perceptions of ESM may prevent victims from reporting.

Bystanders of ESM may also fail to report because they are potentially subjected to a code of silence (a.k.a. the culture of silence; Grant et al., 2018; Wishnietsky, 1991). The code of silence has not been extensively researched (Nishimura, 2019), yet from what has been examined, support for it has been found. In a survey regarding teacher-student sexual harassment, nearly 60% of the 148 students who responded believed there to be a collaboration of silence between administrators, teachers, and students about ESM. On the contrary, only 3.1% of responding superintendents believed the ESM code

of silence to be true (Wishnietsky, 1991). This silence is also reflected in previous studies of ESM, where scholars have had difficulty obtaining data because stakeholders do not want to get involved (e.g., Cairns, 2006; Nishimura, 2019; Robert & Thompson, 2019). The culture of silence has been evident in the lack of bystander prevention from school officials as well. Those who work in schools are responsible for a child's well-being, except they are the ones who are less likely to make the allegation. Typically, the victim or the victim's family members are the first ones to report ESM (Henschel & Grant, 2018).

Students, parents, and other school officials may defend the educator being investigated, contributing to why victims are afraid to report (Nhundu & Shumba, 2001). In previous ESM cases, accused educators who were seen as outstanding individuals were often to be supported in their innocence by their colleagues and even parents (Shakeshaft & Cohan, 1995). In return, the victims were often bullied by their peers and sometimes even by the accused as well (Shakeshaft & Cohan, 1995). Thus, reporting ESM is difficult for victims because they have to overcome many obstacles.

Grooming of the victim and victim's family is another reason why ESM may go unreported. Grooming is the process of an offender who lures a child into sexual abuse by gaining their trust (Gallagher et al., 2003). Grooming tactics include giving attention, spending time with their victim(s), and making them feel special (Leclerc et al., 2005). Offenders may also groom those close to their potential targets (i.e., parents, caretakers, etc.) with the goal of having an accessible environment to their victims (Craven et al., 2006; Elliot et al., 1995). Educational institutions serve as a prime opportunity for perpetrators to locate and groom their targets under the guise of being a stellar educator

(McAlinden, 2006). The victim may be inclined to report the abuse, where they will most likely experience mixed feelings due to the grooming techniques implemented by the offender. Offenders may offer mentoring, additional help, or create opportunities for overnight excursions in order to sexually abuse their victims (Knoll, 2010; Sullivan & Beech, 2004).

One of the few studies that examined grooming within the context of ESM was conducted by Jaffe et al. (2013). The researchers reviewed 110 cases that occurred in Ontario, Canada over a six-year period. Approximately 73% of the victims in their sample experienced grooming by being given special attention by the offender, and 45% of it was done over electronic communication. In addition, they observed that 10% of offenders had distributed drugs to their victims, 8% had given gifts, and grooming the family occurred in 3% of the sample. The following is an excerpt from a case study of a 15-year-old girl who was groomed and sexually abused by her 45-year-old teacher:

As a sophomore, Mary was taught by Perez every week and at his request began to visit him in his office. Mary was flattered that a teacher would seek her out, be interested in her, and treat her as an adult. He would take her aside to teach her in his office rather than to instruct her with other students. According to Mary, he treated her special and complimented her on her looks, maturity, and intelligence, and he gradually gained her trust and confidence. (Burgess et al., 2010, p. 390)

In the excerpt, Mary's teacher would give her special attention and single her out from the rest of his students. Thus, getting close enough to commit ESM.

Reporting Inconsistencies Among Schools

Research on ESM in the United States is minimal because of many reasons; yet one of the reasons includes data reporting inconsistencies. ESM has an expansive definition and certain acts, such as flirting, are not against the law. In educational settings, a uniform definition (Shakeshaft & Cohan, 1995; Wishnietsky, 1991) and a standard protocol to prevent ESM do not exist (Wishnietsky, 1991). Some states operationalize ESM into multiple categories, while others do not have an established classification system (Abboud et al., 2010). Twenty-one states do not have laws against ESM, making it challenging to collect data for research purposes (Abboud et al., 2020).

News reports of ESM, therefore, are the most convenient data sources for information (Canadian Centre for Child Protection Inc., 2019; Shakeshaft, 2003; West et al., 2010). ESM has gained notoriety due to high-profile cases exhibited in the media (Abboud et al., 2020; Knoll, 2010). Due to the variability among states in their definitions and policies regarding ESM, researchers should take precaution in comparing ESM from different geographical regions. The inconsistencies in reporting make it difficult to accurately assess the prevalence of ESM in the United States.

Passing the Trash or Keeping the Trash?

The lack of punishment when school districts do not reprimand and remove those guilty of ESM may discourage subsequent victims from coming forward, thus contributing to underreporting. *Passing the trash* is a phrase that refers to the following scenario: an educator has faced allegations of sexual misconduct and is hired by another school. The prior institution typically recommends the person for the new job to avoid having to formally respond to the problematic educator (Government Accountability

Office, 2010; Shakeshaft & Cohan, 1995). School districts sometimes do this to avoid overseeing prosecution or disciplinary hearings against educators (Knoll, 2010).

Passing the trash has been previously observed in research. For example, Shakeshaft and Cohan (1995) interviewed superintendents about their knowledge of ESM cases and observed that in 54% of the cases, the accused received sanctioning that led to an absence period from teaching. Of those cases, the respondents reported that 16% of the educators were found working in other schools. Even by conducting background checks on offenders, it would be time-consuming to search through federal records the databases for all 50 states. This means that an educator who has committed ESM can easily move to another state and find employment at a school (Grant et al., 2018). Conversely, in many instances, educators are allowed to keep their jobs after being accused or found guilty, which the current study will refer to as *keeping the trash*. Shakeshaft and Cohan (1995) reported that almost 37% of accused educators in their sample were able to continue working within their schools.

A more recent example of *passing the trash* and *keeping the trash* is of Choate Rosemary Hall exposed in 2017 for alleged abuse by at least 12 former educators. The Connecticut boarding school never reported any of the allegations to police, even though one instance included rape on an overnight school trip. Jaime Murillo, a Spanish teacher, had consumed alcohol with students when he had raped a 17-year-old female in a swimming pool. After multiple reports were made to school officials, he was fired and was subsequently allowed to work at other school districts. Many of the accused teachers were permitted to continue working at Choate Rosemary Hall or other schools, where the allegations were often subdued (Harris, 2017).

Relationship Between Schools and Law Enforcement

ESM is difficult to study because of the lack of accessibility to relevant data. It is not unheard of for school officials to deny or limit data access to researchers (Hernandez et al., 2020; Nishimura, 2019). Possible explanations for why schools are uncooperative include their desire to move forward from recent ESM cases and avoiding unwanted attention. When researchers gain accessibility, the records may be limited in detail, or they will come at a hefty price (Robert & Thompson, 2019). This presents obstacles to gathering information and doing so in a timely manner. For those ESM cases that are criminal, enlisting the help of law enforcement agencies may be an easier option to acquire data because they are required to document and report any criminal activity. Some disadvantages of this may be the limited amount of information available or the few cases provided to the police. Also, police data excludes cases of ESM that were not criminal in nature, such as texting or making sexual comments. Police agencies report on crimes that they are made aware of, and schools fail to report all known allegations of ESM to local authorities (Fromuth & Holt, 2008). In order to avoid the challenge of going directly to schools or law enforcement, researchers may be able to acquire more information on ESM by submitting a public records request to a state agency or collecting data by administering surveys. More detailed information may be provided, such as the extent of the abuse and offender characteristics. If there is pressure for ESM to be studied, then these obstacles may become easier to overcome.

Effects of Educator Sexual Misconduct (ESM)

Generally, little is known about what happens to the victims of ESM after the allegations are made or the life-long effects on students. In one of the few studies

conducted on ESM victimization, the Canadian Centre for Child Protection Inc. (2019) examined 750 cases of ESM that occurred between 1997 and 2017. The victims from these cases totaled 1,272 students. They were able to file a victim impact statement where some students detailed how their relationships with others had deteriorated and that they lost their childhood due to the abuse they endured. Also, the victims often reported feelings of depression and worthlessness. Other research has noted that many victims transfer to another district or drop out of school (Canadian Centre for Child Protection Inc., 2019; Shakeshaft & Cohan, 1995). Other common themes were that ESM victims felt embarrassed, were self-conscious, and lacked confidence (Shakeshaft, 2004). In a similarly relevant study conducted by Geddes et al. (2013), she measured the perceived effects of ESM on victims in which their open-ended questions received 116 respondents. The most common themes among ESM victims were problems with relationships, trust issues, and negative emotional effects. Of those who responded, very few considered ESM to have no effect or a positive effect on the victim. Though there are not many studies on the effects of ESM, there exist personal accounts of what the victims endure. For example, the following is a brief description of a teaching assistant who engaged in a sexual relationship with a 14-year-old student:

Hannah Harris, a 23-year-old, had groomed her victim by buying his favorite foods and taking him out on trips to the grocery store. She pretended to be the mother of the victim's girlfriend to gain the parents' trust. Harris had sex with the victim in the parking lot of a supermarket and sent sexual images of herself through Snapchat. Once caught, Harris defended herself by saying that the boy had raped her. Upon hearing this accusation, the victim reportedly felt dirty. He

also had trouble focusing in school and was taking medication for anxiety.

(Conder, 2022, n.p.)

In the anecdote, Harris had deceived the victim's family and attempted to place the blame on the victim. Her actions led the victim into feeling negatively about himself. The immediate effects of ESM are known from this case, however, identifying the long-term consequences will be difficult to observe. Regardless, it is important to recognize the outcomes of ESM so that researchers, school officials, and the public understand the severity it has on victims.

II. EDUCATOR SEXUAL MISCONDUCT (ESM): CHARACTERISTICS, TYPOLOGIES, AND THEORETICAL FOUNDATION

A common characteristic of ESM offenders is that most perpetrators are male (Henschel & Grant, 2018). Additionally, teachers are more often reported for ESM than those in other school positions (Gallagher, 2000; Henschel & Grant, 2018; Shakeshaft, 2001, 2003). Coaches and music teachers have also been found to frequently engage in ESM (Gallagher, 2000), which may possibly be due to having more one-on-one time with individual students (Shakeshaft, 2004). Compared to the general teaching population, offenders hold a disproportionate number of teaching awards and are viewed as upstanding educators (Shakeshaft, 2003). This positive perception can be attributed to how far an educator will venture to help a student, but it also may be done to make the public believe they are incapable of committing ESM.

In the public eye, those who have committed a sexual offense are assumed to be male individuals who lurk in the shadows waiting for their next victim (Embry & Lyons, 2012). Even though the majority of CSA cases are male perpetrated, there is empirical support that females offend as well (Embry & Lyons, 2012; Finkelhor et al., 1990; Sarrel & Masters, 1982). The low numbers make it difficult for scholars to examine females who commit sexual offenses and hinders their progress of producing offender profiles. Criminology has long overlooked examining female criminality, which also includes research on sex offenses committed by females (Denov, 2003; Embry & Lyons, 2012). The strain on research is attributed to how society perceives female sex offenders in what is known as the *culture of denial*. The culture of denial comprises of three societal beliefs: (1) females have no malicious intent; (2) females are unable to inflict any serious

harm; and (3) females should be given the benefit of the doubt (Denov, 2001). Also, the idea that females are innocent and sexually submissive contributes to the underreporting of female perpetrators (Denov, 2003). Nonetheless, there are emerging studies on female offenders of CSA (e.g., Finkelhor et al., 1990; Lewis & Stanley, 2000; Strickland, 2008), including those specifically who perpetrate ESM.

Shakeshaft and Cohan (1995), for example, interviewed 225 superintendents from across the United States regarding their awareness of ESM. They found that only four percent of those committing ESM were female. In a recent study of 110 educators who committed ESM, only less than 10% were female (Jaffe et al., 2013). Another study reported that out of 714 ESM offenders, 13% were female offenders (Canadian Centre for Child Protection Inc., 2019). An analysis of 459 ESM cases in 2014 showed that 33% of offenders were female (Henschel & Grant, 2018). These findings reveal a disconnect in the literature because female offenders are not prevalent, making it difficult to identify common ESM characteristics between studies.

Characteristics of female educators who were accused of ESM in Texas were analyzed in Robert and Thompson's (2018) study. The researchers collected data on 1,415 educators who were sanctioned for ESM from 2008 to 2016. Female offenders consisted of 26% of their sample and the majority of them were teachers. As shown in another study, female offenders were more prevalent in high schools than in middle and elementary schools (Ratliff & Watson, 2014). Also, females were more likely than men accused of ESM to engage in non-contact misconduct (Christensen & Darling, 2020). In ESM cases where physical contact was involved, one out of each of five offenders were female and five percent of the females abused more than one victim. The offenders

ranged in age from 24 to 58 years old, and the majority (e.g., 75%) were in their 20s and 30s (Canadian Centre for Child Protection Inc., 2019). A common minimization technique among female offenders is that they often portray themselves as victims. They purport being taken advantage of by their students (Christensen & Darling, 2020), possibly as a way to minimize the impact of sanctioning. This can be seen in the following example:

Thirty-six year-old Tiffany Eichler was a physical education teacher at McKinley Senior High School. She pleaded guilty to having sexual conduct with two 18-year-olds and a 17-year-old. Even though the victims were of the age of consent, Ohio forbids teachers to have a sexual relationship with students. Eichler insisted that the victims pressured her and that she resisted their advances, however, she had driven to one of the victim's homes and reportedly engaged in sexual activity in her classroom. Her actions led to her license being revoked and a lifetime appointment on the sex offender registry. Also, Eichler is forbidden from using Snapchat, which is the social media platform she used to communicate with the victims. (Balint, 2018, n.p.)

Typologies of Educator Sexual Misconduct (ESM)

Shakeshaft (2013) identified a typology of ESM offenders as a way to distinguish differences between and among such offenders. Two subtypes emerged. The first, the *fixated abuser*, is most likely a male educator who works primarily in elementary or middle schools. This perpetrator is known to hold many awards and is considered excellent at teaching. A fixated abuser cares about being socially liked by others and will

go to great lengths to gain the trust of the victim, their family, and school officials. When accused of ESM, many of their peers will rally around the abuser rather than the victim because of the reputation they have built. The second subtype, *opportunistic abusers*, describes those who sexually exploit students when an opportunity arises. They tend to seek out the company of other students and are knowledgeable about their personal lives. Opportunistic abusers are a bit more challenging to identify than fixated abusers, despite comprising the majority of ESM offenders.

While few studies currently exist on typologies of female ESM offenders (e.g., Steely & Bensel, 2020), several researchers have independently developed typologies of females who have committed child sexual abuse. Among those typologies, most identified a category of abuse in the context of their role as a teacher. For instance, the *teacher/lover* subtype is characterized by a female teacher who instigated the abuse towards her student (Mathews et al., 1989). She portrays her sexual misconduct as a relationship where she believes the victim enjoyed it. Those categorized into the teacher/lover typology are typically motivated by trying to affirm their youthfulness and attractiveness. A similar category of females who commit CSA is known as *heterosexual nurturer* (Vandiver & Kercher, 2004). Female offenders in this group are characterized as middle-aged women who target male adolescents (Vandiver & Kercher, 2004). The main difference between this and the teacher/lover subtype is that it broadens the scalability to include other care-taking positions, such as daycare providers and babysitters. While there are clear differences between female and male ESM perpetrators, less is known about the typologies associated with ESM. Thus, in identifying commonalities amongst ESM offenders, it will allow school officials to recognize the warning signs of ESM.

Hypotheses Explaining Female Criminality

Scholars have introduced two competing hypotheses to explain why females experience differential treatment in the legal system as compared to males (Bontrager et al., 2013; Daly, 1989; Nowacki, 2020): the *chivalry hypothesis* and the *evil women hypothesis*. Generally, there has been more support for the former hypothesis (Bontrager et al., 2013). While the hypotheses have yet to be applied to ESM, it has been documented in other sexual crimes (e.g., Embry & Lyons, 2012; Shaw et al., 2020).

Chivalry Hypothesis

The *chivalry hypothesis* proposes that females are provided with more leniency than males in the criminal justice system (Shaw et al., 2020; Spohn & Spears, 1997). According to this hypothesis, it is assumed that males have an obligation to protect females in a male-dominated world, as girls and women are stereotypically portrayed as the weaker sex (Anderson, 1976; Embry & Lyons, 2012; Franklin & Fearn, 2008; Steffensmeier, 1980). Females are viewed as fragile and not entirely in control of their actions. Females who commit crimes are not taken seriously as compared to males because people do not believe they can genuinely be criminally deviant (Crew, 1991). The chivalry hypothesis has been further limited to be applicable to females who fit into society's expectation of sex roles (Embry & Lyons, 2012). These roles are described as having little to no criminal history, being a caregiver, and committing minor offenses. This belief serves as an excuse for not holding females to the same standards as males, which indirectly diminishes a woman's likelihood of being punished (Embry & Lyons, 2012).

There are findings from various studies that show some support for the chivalry hypothesis (e.g., Bontrager et al., 2013; Daly & Bordt, 1995; Embry & Lyons, 2012; Franklin & Fearn, 2008; Goulette et al., 2015; Griffin & Wooldredge, 2006; Harrington & Spohn, 2007; Koons-Witt et al., 2014; Spohn & Beichner, 2000). Some have shown evidence to support the chivalry hypothesis throughout various stages of the criminal justice system (Goulette et al., 2015; Gruhl et al., 1984; Moulds, 1978; Spohn, 1999; Visher, 1983; Wilbanks, 1986). In terms of arrest decisions, Shaw et al. (2020) found that among sexual offense incidents known to law enforcement, females were less likely than male offenders to be arrested for sexual offenses while controlling for other known factors associated with arrest. Within the criminal justice system, Goulette et al. (2015) found that females were more likely to have lower bond amounts than males. Also, they were less likely to be sentenced to prison when convicted, and judges were less likely to issue a guilty verdict or long-term sentence. Similarly, other studies found that females were less likely than males to experience being sentenced to jail (Nowacki, 2020) and prison (Gruhl et al., 1984; Nowacki, 2020; Koons-Witt et al., 2014; Spohn, 1999; Steffensmeier et al., 1993). Franklin and Fearn (2008) explored specifically how sex and race influenced sentencing outcomes. Their findings support the chivalry hypothesis because females were given less severe sentences than males.

Embry and Lyons (2012) examined sentencing differences between male and female sex offenders who were convicted of rape, child sexual assault, and forcible sodomy. Overall, females were more likely than males to have shorter sentence lengths (Crew, 1991; Embry & Lyons, 2012; Hassett-Walker et al., 2014; Koons-Witt et al.,

2014; Spohn & Spears, 1997), have their charges dismissed (Gruhl et al., 1984; Spohn & Spears, 1997), and be released from jail without bail (Spohn, 1999).

While research support for the chivalry hypothesis is strong, a few researchers have found little to no support for it (e.g., Curran, 1983; Daly, 1987). For example, Crew (1991) explored the relationship between sex and criminal sentencing to see if there was support for the chivalry hypothesis. No support for the chivalry hypothesis was found and the researcher determined that other factors, such as race, better explained sanctioning differences between females and males. Another study by Hassett-Walker et al. (2014) observed that females and males were similarly charged for the same offenses. A possible reason for this observation may be attributed to sentencing reforms that have taken place in recent years. Since 1999, there has been a notable decline in the criminality gap by sex and the criminal penalty differences between both sexes, which has slowly diminished the support for the chivalry hypothesis (Bontrager et al., 2013).

Evil Women Hypothesis

The *evil women hypothesis*, alternatively, purports that females are punished *more harshly* than males, especially when they behave outside their perceived gender norms (Goulette et al., 2015; Spohn & Spears, 1997). Within these perceived gender norms, females are expected to be nurturing and refined while males are assumed to be aggressive (Daly, 1989). When females commit crimes contrary to their perceived gender roles, they are then painted to be “evil.” This, in turn, may increase their likelihood of harsher punishment in comparison to males. When strict punishments are posed to specific crimes that are especially heinous or violent, it is sometimes regarded in the literature as *selective chivalry* (Crew, 1991).

According to the evil women hypothesis, it is assumed that female offenders have committed not one, but two offenses: violating laws and displaying “unfeminine” criminality by going against their pre-determined gender roles (Bontrager et al., 2013; Crew, 1991). Petty crimes, such as theft, are not perceived as serious for females; however, violent crimes do raise concerns. Females who have committed violent offenses, such as sexual assault and murder, are expected to be given worse treatment than males because they acted outside their traditional gender role expectations (Crew, 1991; Curran, 1983; Embry & Lyons, 2012), whereas males are given the leniency of being understood as aggressive, natural monsters (Hayes & Carpenter, 2013). It follows, then, that crimes such as this may be handled differently by the criminal justice system according to one’s sex (Embry & Lyons, 2012).

An alternative way of explaining a male’s desire to protect females is that they do so by inflicting harsher punishments. Detaining females for lengthier periods serve to shelter them for their own welfare. In terms of engaging in future crime, research suggests that this type of treatment protects females from themselves and prevents further criminal behavior (Anderson, 1976; Armstrong, 1977; Goulette, 2015). Also, females who commit aggressive offenses are viewed as uniquely more threatening and harmful to society. This line of thinking results in harsher punishments (Bontrager et al., 2013).

Only a few criminological researchers have reported support for the evil women hypothesis (e.g., Erez, 1992; Tracy et al., 2009). For example, Shaw et al. (2020) explored gender-arrest disparities for sexual offenses in which some of their findings were in line with this hypothesis. They noted that females whose crime characteristics lay outside their nurturing gender role, such as using a weapon and causing bodily harm,

were more likely to be arrested than males. In addition, a study by Wilbanks (1986) found that females guilty of fondling children were treated more severely than males because they were quickly sent to prison. Many studies, however, have not found support for the evil women hypothesis as a reason for the sanction disparities between females and males (see, e.g., Daly & Bordt, 1995; Embry & Lyons, 2012; Franklin & Fearn, 2008; Rodriguez et al., 2006). A potential reason for this may be due to limited research that has been done on the evil women hypothesis because of lower base rates of female criminal justice involvement, more generally.

The *chivalry* and *evil women hypotheses*, while tested with sex crime sanctions at various stages of the criminal justice system as noted above, have not been tested in the context of ESM. Therefore, using both hypotheses as the theoretical backdrop for the present study, it is hypothesized that there is significant sanction differences between females and males. As there appears to be more empirical evidence supporting the chivalry hypothesis, it is speculated in this research that females may receive less severe administrative responses than their male counterparts.

Traits Related to Sanction Differences of Educator Sexual Misconduct (ESM)

Within the context of ESM, there have been observed personal characteristics associated with sanctioning. Previous literature strictly examined male educators and found that they could work at other school districts even after being reprimanded for their sexual misconduct (Shakeshaft, 2003; Wurtele et al., 2019). This is because schools did not thoroughly check references and when they did, the offenders were viewed as reputable individuals by their colleagues. Also, if an educator was given a misdemeanor, this information would most likely not be identified on routine criminal background

checks (Knoll, 2010). When sanctions were involved, Brady and Tajalli (2018) found that minorities were more likely than those who were White to be reprimanded or even suspended for ESM. In addition, at least half of those who instigated ESM had prior sexual misconduct-related complaints made against them (Henschel & Grant, 2018). Also, over one-third of sanctioned educators were at the beginning of their career or were new to the school district (Robert & Thompson, 2019).

There are limited studies on sanctions given to females when discipline is involved because males dominate this offense category. Males are 25 times more likely than females to commit ESM (Brady & Tajalli, 2018). Also, males had a higher likelihood than females of having their teaching license revoked (Brady & Tajalli, 2018). In a study conducted of 582 Texas educators who were disciplined for any ESM offense, male offenders were 16.5% more likely to be barred from teaching than female offenders (Brady, 2015). Also, male offenders were two times more likely than females to be arrested for ESM (Henschel & Grant, 2018). On the other hand, Shakeshaft and Cohan (1995) found that female offenders were more likely to be terminated for the same crimes as male offenders, who often were treated with more leniency. These findings should be taken lightly, as they come from samples that include more males than females. This emphasizes that males commit ESM more than females and leads to a lesser assessment of female offenders.

Research Questions

To the best of the researcher's knowledge, there are no research studies that theoretically examine sanction differences by sex in the ESM literature. The goals of the current study are two-fold. First, to use more recent data than previous work to assess the

differences in sanction outcomes for both female and male educators, relying upon the *chivalry* and *evil women hypotheses* as the theoretical lens. Second, more reliable and extensive data are used than previous work to analyze the characteristics of those accused of ESM. The following four specific research questions are posed:

1. What are the characteristics among this sample of female educators who have ESM allegations filed against them?
2. What are the characteristics among this sample of male educators who have ESM allegations filed against them?
3. What are the differences between female and male educators who have ESM allegations filed against them?
4. To what extent, if any, do the administrative responses differ between female and male educators?

This proposed study seeks to examine the applicability of the *chivalry* and *evil women* hypotheses to test whether a possible ESM sanction disparity exists by sex. Attention is given to the accused's sex, the seriousness of the offense, and sanctioning outcome. Sexual offenses committed by educators are investigated because this criminal act is uniquely popularized in the media, although it is sparsely examined by scholars. The findings from the study are discussed in light of existing literature on this topic and it is hoped that they will broaden the current understanding of ESM.

III. METHODS

A series of bivariate models are analyzed in the current study to compare sociodemographic variables, type of ESM perpetrated by the accused, and administrative responses to ESM by sex. The methods in this study – including the identification of the research questions, sample description and procedure for analysis – are discussed below. Following thereafter, the results and discussion are presented. This work concludes with its limitations and implications for future research.

Sample

The data consist of reported incidents of ESM that occurred in Texas that were closed¹ between January 1st, 2019 and December 31st, 2019 ($n = 476$). The reason this year was chosen is because 2019 is the year before COVID restrictions occurred. The accused cases that were pending or ongoing at the time of data collection were excluded from the study. Sociodemographic information and type of sanction is available for each accused individual. The approximate age of the accused at the time their case was closed ranged from 19 to 76 years old ($\bar{X} = 39.69$; $SD = 11.76$). The sample included 107 females (22.48%) and 356 males (74.79%)². In terms of race/ethnicity, most of those accused were White (44.54%), and most of the accused had taught high school (43.70%).

Data Source

The data were obtained from the Texas Education Agency (TEA) through a public information request (PIR). The TEA supervises primary and secondary public schools in Texas whereby they provide various services, such as administering reports and handling

¹ Cases that did not have an ongoing investigation and had an administrative decision in 2019 were examined.

² The sex of the accused educator was missing for 13 of the cases.

complaints. One of the agency's responsibilities is to collect data on staff and students. A PIR was submitted to retrieve details on individuals who have been investigated for ESM as these data are not made publicly available. In addition, information on the accused's name, open/closed dates of the investigation, case outcome, and fiscal year that the investigation initially took place was requested.

For confidentiality purposes, all identifying information for each subject is de-identified. The data released by TEA are in a password-protected file on the researcher's personal, password-protected computer. Complying with the Texas State University's Institutional Review Board, the data will be destroyed after three years to ensure the privacy of all individuals involved.

Measures

Sanction Variables

The dependent variable in this study is the type of sanction received from his/her respective school by those accused of ESM. The sanctions given to the accused are provided in Table 1 along with their respective definitions. The sanctions may range from administrative closure to a punishment that is more severe, such as an educator being listed on the do not hire registry.

Table 1. Sanction definitions by the TEA

Type of Sanction	Description of Sanction
Administrative Closure	Investigation was closed without further action against educator.
Certificate Denied	A denied credential was not issued because the requestor was determined to be ineligible for certification, based on non-completion of requirements, or else was administratively denied pursuant to 19 Texas Administrative Code §249.12.
Do Not Hire Registry	Not Eligible For Hire – The individual is not eligible to be employed by a public school and may not be hired in any role. Added to Do Not Hire Registry.
Inscribed Reprimand	Is the Board’s formal, published censure appearing on the face of an educator’s certificate. A reprimand does not affect the validity of an educator’s certificate.
Non-Cert Administrative Closure	Non-Certified educator investigation was closed without further action against educator.
Permanent Revocation	A revoked certificate has been rendered permanently invalid without the opportunity to reapply for a new certificate.
Revoked	A revoked certificate has been rendered permanently invalid as a result of disciplinary action by the SBEC.
Suspended	A suspended certificate, as a result of disciplinary action by the SBEC, has been rendered invalid for a specific period of time or until reinstated by the board.
Voluntary Surrender	A voluntary surrender of a certificate occurs as a result of an educator’s voluntary relinquishment of a certificate, in lieu of disciplinary proceedings, and renders that certificate permanently invalid.

Type of ESM Perpetrated by the Accused

Another variable of interest is the type of ESM perpetrated ($0 = \text{sexual misconduct}$; $1 = \text{inappropriate relationship with a student}$). According to the TEA’s classification of ESM, sexual misconduct (SEXMIS) includes sexual assault, sexual abuse, indecent exposure, possession, sale or manufacture of child pornography, indecency with a child, enticing a child, fondling, solicitation of a minor, public

lewdness, pornography, and prostitution³. For the purposes of the current study, cases involving adult victims are excluded because the examination is solely on child victims. Inappropriate relationship with a student or minor (IRWSM) includes inappropriate communication, grooming, or solicitation of sexual conduct or a romantic relationship (N. Camarillo, personal communication, November 10, 2020).

Sociodemographic Variables

The sociodemographic characteristics of educators accused of ESM include the educator's sex (*0 = male; 1 = female*) and position in school at the time their case was opened. Other variables include race/ethnicity and age of the educator. Position in school is categorized into three groups for analysis purposes: (*0 = teacher, 1 = teacher aide, 2 = administrator, and 3 = other*). This variable is important to examine to identify which specific roles in educational institutions comprise those who offend. The accused's highest level of certifiable education is included and is categorized as follows: (*0 = no bachelor's degree or higher, 1 = bachelor's, 2 = master's, 3 = doctorate*). The other variables collected for this study are salary, supplemental pay, grade levels taught, and the number of years of an accused's creditable work experience. These variables are important to examine so that comparisons can be made to prior research to better assess the characteristics for those accused of ESM.

Analytic Strategy

Using IBM[®] Statistical Product and Service Solutions (SPSS)[®], version 27, univariate and bivariate analyses (i.e., chi-square test of independence and independent

³ To note, TEA has not categorized ESM as a separate code from sexual misconduct because it incorporates violations such as public lewdness. In addition, this criminal act is not exclusive to child victims when it can apply to other teachers and administrative staff.

samples t-tests) were first conducted to analyze characteristics of the males and females, as well as any differences between them. Using these descriptive statistics, the first two research questions were addressed (i.e., identification of the characteristics of female and male educators accused of sexual misconduct).

To answer the third research question that examines differences between female and males accused of sexual misconduct, a chi-square test of independence and an independent samples t-test were relied upon. An independent samples t-test was used to compare the means between two independent samples (Rasch et al., 2011). The values .2, .5, and .8 were used to respectively indicate small, medium, and large effect sizes for the independent samples t-test (Cohen, 1988). In order to answer the fourth research question of whether administrative responses to ESM allegations differ by sex, a chi-square test of independence and a phi-coefficient was relied upon. The chi-square test of independence was used to examine the relationship between two categorical variables (e.g., Mchugh, 2013), while a phi-coefficient was implemented to measure the strength of the association between two variables (Ekström, 2011). It was interpreted from 0 (no relationship) to 1 (perfect relationship; Tomczak & Tomczak, 2014).

IV. RESULTS

The results from the analyses of the 476 ESM cases in Texas closed for investigation in 2019 are presented in this chapter. A description of the characteristics of female educators accused of ESM is presented first, followed by the characteristics among the male sample. These sections rely upon descriptive statistics and address the first two research questions: (1) what are the characteristics among this sample of female educators who have ESM allegations filed against them?; and (2) what are the characteristics among this sample of male educators who have ESM allegations filed against them? Subsequently, the results of the bivariate analyses are presented, which address the third and fourth research questions: (3) what are the differences between female and male educators who have ESM allegations filed against them?; and, (4) among those who have ESM allegations against them, to what extent, if any, do the administrative responses differ between female and male educators? The questions posed in this research contribute to the existing ESM literature by comparing female and male educators and by assessing the empirical support for the chivalry and evil women hypotheses.

Characteristics of Educators Accused of Educator Sexual Misconduct (ESM)

Among the 476 educators accused of ESM, 107 (22.48%) are female (see Tables 2 and 2a). Their ages ranged from 19 to 69, with an average age of 34.49 ($SD = 9.29$). With regard to race/ethnicity, the majority are White ($n = 64$; 59.81%), followed by Hispanic/Latino ($n = 30$; 28.04%). In terms of education qualifications, 60.75% ($n = 65$) have a bachelor's degree. Also, 80.37% ($n = 86$) of the accused female educators have less than 10 years of work experience. Their annual salary ranged from \$7,180 to

\$84,448, with an average salary of \$45,557.60 ($SD = \$16,600.42$). The majority of female educators accused of ESM held teaching positions ($n = 75$; 70.09%). The largest percentage taught at the high school level ($n = 42$; 39.25%).

Table 2. Sociodemographic of female educators accused of ESM in Texas

Characteristic	Females ($n = 107$) n (%)
<i>Age</i>	
19-29 years	36 (33.64)
30-40	47 (43.93)
41-51	18 (16.82)
52+	6 (5.61)
<i>Race/Ethnicity</i>	
White	64 (59.81)
African American	8 (7.48)
Hispanic/Latino	30 (28.04)
Asian	2 (1.87)
American Indian or Alaska Native	1 (0.93)
Two or more races	2 (1.87)
<i>Educational level</i>	
No bachelor's degree or higher	20 (18.69)
Bachelor's	65 (60.75)
Master's	16 (14.95)
Doctorate	0 (0.00)
<i>Missing</i>	6 (5.61)

Note. Due to rounding, the percentages do not always add up to 100%.

Table 2a. Employment information of female educators accused of ESM in Texas

Employment information	Females (<i>n</i> = 107) <i>n</i> (%)
Employment length	86 (80.37)
Less than 10 years	
11– 21	11 (10.28)
22– 32	2 (1.87)
33+	2 (1.87)
<i>Missing</i>	6 (5.61)
Annual salary	
≤ \$35,000	25 (23.36)
>\$35,000 – \$50,000	24 (22.43)
>\$50,000 – \$57,000	26 (24.30)
>\$57,000	25 (23.36)
<i>Missing</i>	7 (6.54)
Primary role	
Teacher	75 (70.09)
Educational aide	20 (18.69)
Administrative	1 (0.93)
Other	4 (3.74)
<i>Missing</i>	7 (6.54)
Grade level(s) taught	
All grade levels	6 (5.61)
Elementary	7 (6.54)
Middle	20 (18.69)
High school	42 (39.25)
Not applicable	25 (23.36)
<i>Missing</i>	7 (6.54)

Note. Due to rounding, the percentages do not always add up to 100%.

With regard to the type of allegations made against the female educators, 103 (96.26%) of the 107 were reported for having an inappropriate relationship with a student or minor compared to only 4 (3.74%) who were accused of a sexual offense as defined by the TEA (see Table 3). Sexual misconduct includes sexual assault, sexual abuse, indecent exposure, possession, sale or manufacture of child pornography, indecency with a child,

enticing a child, fondling, solicitation of a minor, public lewdness, pornography, and prostitution.

A majority ($n = 99$; 92.52%) of the ESM cases for female educators closed for investigation within 24 months of their initiation. Thirty-three percent (30.84%) of the 107 cases resulted in a voluntary surrender of their license, followed by 24 (22.43%) that were administratively closed without further actions. Negative case outcomes, excluding those that were administratively closed and educators who voluntarily surrendered their teaching licenses, are examined. Over half ($n = 83$; 77.57%) of female educators accused of ESM did receive a negative consequence resulting from the allegations made against them. Here, negative consequences include all those cases where the following occurred: voluntary surrender, denied, do not hire registry, inscribed reprimand, permanent revocation, revoked, and suspended. Cases in which a negative consequence did not occur include those where the case was administratively closed (i.e., further action was taken against the educator).

Table 3. Characteristics of case outcome for female educators accused of ESM in Texas

Case characteristics	Females (<i>n</i> = 107) <i>n</i> (%)
Type of educator sexual misconduct	
Sexual misconduct	4 (3.74)
Inappropriate relationship with a student or minor	103 (96.26)
Investigation length	
Less than 24 months	99 (92.52)
24-48	7 (6.54)
More than 48	1 (0.93)
Sanction disposition	
Administrative closure	24 (22.43)
Certificate denied	3 (2.80)
Do not hire registry	4 (3.74)
Inscribed reprimand	15 (14.02)
Non-certification administrative closure	0 (0.00)
Permanent revocation	7 (6.54)
Revoked	8 (7.48)
Suspended	13 (12.15)
Voluntary surrender	33 (30.84)
Summary of sanction disposition	
Negative consequence	83 (77.57)
No negative consequence	24 (22.43)

Note. Due to rounding, the percentages do not always add up to 100%.

The majority of the educators accused of sexual misconduct were male ($n = 356$; 74.79%). As shown in Table 4, the age of male educators accused of ESM ranged from 19 to 76, with an average age of 41.19 ($SD = 11.99$). A majority of educators are White ($n = 148$; 41.57%) or Hispanic/Latino ($n = 147$; 41.29%). In terms of education qualifications, 61.52% ($n = 219$) have a bachelor's degree and 21.07% ($n = 75$) of the accused male educators have a master's degree. Approximately 65.73% ($n = 234$) of the sample had less than 10 years of employment at the time they were accused and their annual salary ranged from \$1,100 to \$255,569, with an average of \$52,797.07 ($SD =$ \$21,197.17), as noted in Table 4a. Two hundred and seventy-seven (77.81%) male

educators were in a teaching position at the time of the investigation and 46.63% ($n = 166$) had worked at the high school level.

Table 4. Sociodemographic of male educators accused of ESM in Texas

Characteristic	Males ($n = 356$) n (%)
<i>Age</i>	
19–29 years	68 (19.10)
30–40	123 (34.55)
41–51	89(25.00)
52+	76 (21.35)
<i>Race/Ethnicity</i>	
White	148 (41.57)
African American	50 (14.04)
Hispanic/Latino	147 (41.29)
Asian	4 (1.12)
American Indian or Alaska Native	3 (0.84)
Two or more races	4 (1.12)
<i>Educational level</i>	
No bachelor’s degree or higher	33 (9.27)
Bachelor’s	219 (61.52)
Master’s	75 (21.07)
Doctorate	6 (1.69)
<i>Missing</i>	23 (6.46)

Note. Due to rounding, the percentages do not always add up to 100%.

Table 4a. Employment information of male educators accused of ESM in Texas

Employment information	Males (<i>n</i> = 356) <i>n</i> (%)
Employment length	
Less than 10 years	234 (65.73)
11 – 21	60 (16.85)
22 – 32	36 (10.11)
33+	3 (0.84)
<i>Missing</i>	23 (6.46)
Annual salary	
<\$46,000	83 (23.31)
>\$46,000 – \$55,000	83 (23.31)
>\$55,000 – \$62,000	80 (22.47)
\$62,000+	85 (23.88)
<i>Missing</i>	25 (7.02)
Primary role	
Teacher	277 (77.81)
Educational aide	37 (10.39)
Administrative	7 (1.97)
Other	9 (2.53)
<i>Missing</i>	26 (7.30)
Grade levels taught	
All grade levels	21 (5.90)
Elementary	40 (11.24)
Middle	52 (14.61)
High school	166 (46.63)
Not applicable	51 (14.33)
<i>Missing</i>	26 (7.30)

Note. Due to rounding, the percentages do not always add up to 100%.

Male educators were accused mainly of having an inappropriate relationship with a student or minor (*n* = 307; 86.24%) and 87.36% (*n* = 311) of the cases were closed within 24 months (see Table 5). Most cases were either administratively closed (*n* = 112; 31.46%) or the accused had voluntarily given up their teaching license (*n* = 101; 28.37%). Over half (*n* = 244; 68.54%) of male educators did receive a negative outcome from the investigation.

Table 5. Characteristics of case outcome for male educators accused of ESM in Texas

Characteristic	Males (<i>n</i> = 356) <i>n</i> (%)
Type of educator sexual misconduct	
Sexual misconduct	49 (13.76)
Inappropriate relationship with a student or minor	307 (86.24)
Investigation length	
Less than 24 months	311 (87.36)
24-48	36 (10.11)
More than 48	9 (2.53)
Sanction disposition	
Administrative closure	112 (31.46)
Certificate denied	3 (.84)
Do not hire registry	3 (.84)
Inscribed reprimand	43 (12.08)
Non-certification administrative closure	0 (0.00)
Permanent revocation	20 (5.62)
Revoked	37 (10.39)
Suspended	37 (10.39)
Voluntary surrender	101 (28.37)
Summary of sanction disposition	
Negative consequence	244 (68.54)
No negative consequence	112 (31.46)

Note. Due to rounding, the percentages do not always add up to 100%.

Differences Between Female and Male Educators Accused of ESM

Female and male educators accused of ESM significantly differed with regard to age ($t(222.03) = 6.10, p \leq .05$), and the effect size is moderate (Cohen's $d = .63$). As presented in Table 6, female educators ($\bar{X} = 34.49, SD = 9.29$) are significantly younger than male educators, on average ($\bar{X} = 41.19, SD = 11.99$).

Female and male educators accused of ESM significantly differed with regard to race/ethnicity ($\chi^2(5, n = 463) = 13.31, p \leq .05$), yet the strength of that relationship is relatively weak ($\phi = .17$; see Table 7). Although the majority of females and males are White, females are much more likely than males to be Caucasian (59.81% compared to

41.57%). Females are about half as likely as males, however, to be African American or Hispanic (see Table 7).

Also shown in Table 7, there is a significant difference between females and males with regard to the level of education an educator had ($\chi^2 (3, n = 434) = 9.70, p \leq .05$); however, the relationship is weak ($\phi = .15$). Female educators are less likely than male educators to have a master's degree (15.84% compared to 22.52%), however they share the same likelihood of having a bachelor's degree (64.36% compared to 65.77%). Also, female educators are more likely than male educators to not have a degree at all (19.80% compared to 9.91%).

Furthermore, female and male educators accused of ESM significantly differed in their years of employment ($t(196.77) = 3.31, p \leq .05$). The effect size is weak (Cohen's $d = .36$). Female educators ($\bar{X} = 5.14, SD = 7.19$) have less years of experience than male educators ($\bar{X} = 7.99, SD = 8.70$) accused of ESM (see Table 6).

Another significant difference is found between females and males with regard to annual salary ($t(429) = 3.14, p \leq .05$), yet the relationship is slightly weak (Cohen's $d = .38$). Female educators ($\bar{X} = \$45,557.60, SD = \$16,600.42$) accused of ESM earned less pay than male educators ($\bar{X} = \$52,797.07, SD = \$21,197.17$) (see Table 6). Furthermore, female and male educators accused of ESM were similar with regard to the role of the accused and grade levels taught (see Table 7). Majority of female and male educators were teachers and employed at high schools.

In Table 7a, female and male educators significantly differed in the type of misconduct they were accused of ($\chi^2 (1, n = 463) = 8.16, p \leq .05$), whereas the relationship is weak ($\phi = -.13$). Female educators are less likely than male educators to be

accused of sexual misconduct (3.74% compared to 13.76%), however, they are more likely to be accused of having an inappropriate relationship with a student or minor (96.26% compared to 86.24%).

Moreover, a significant difference was not found in sanctioning ($\chi^2 (8, n = 463) = 12.35, p \geq .05$) and whether the sanction was a negative outcome ($\chi^2 (1, n = 463) = -.084, p \geq .05$ (see Table 7a). Additionally, female and male educators were not significantly different with regard to ESM case investigation length ($t(223.83) = 1.07, p \geq .05$), in which the effect size is weak (Cohen's $d = .11$). The average investigation length for female and male educators, respectively, was 277.79 and 367.10 days (see Table 6).

Table 6. Differences between female and male educators accused of ESM in Texas

Characteristic	Females ($n = 107$) \bar{X} (SD)	Males ($n = 356$) \bar{X} (SD)	t	d
Age (years)	34.49 (9.29)	41.19 (11.99)	6.10*	.63
Employment length ^a (years)	5.14 (7.19)	7.99 (8.70)	3.31*	.36
Annual salary ^b	\$45,557.60 (\$16,600.42)	\$52,797.07 (\$21,197.17)	3.14*	.38
Investigation length (days)	277.79 (282.34)	313.54 (367.10)	1.07	.11

Notes. * $p \leq .05$

^a Years of employment was missing in 42 of the cases.

^b Annual salary was missing in 45 of the cases.

Table 7. Differences between female and male educators accused of ESM in Texas, sociodemographic characteristics

Variable	Females <i>n</i> (%)	Males <i>n</i> (%)	χ^2	(ϕ)
Race/Ethnicity			13.31*	.17
White	64 (59.81)	148 (41.57)		
African American	8 (7.48)	50 (14.04)		
Hispanic/Latino	30 (28.04)	147 (41.29)		
Asian	2 (1.87)	4 (1.12)		
American Indian or Alaska Native	1 (0.93)	3 (0.84)		
Two or more races	2 (1.87)	4 (1.12)		
Educational level			9.70*	.15
No bachelor's degree or higher	20 (19.80)	33 (9.91)		
Bachelor's	65 (64.36)	219 (65.77)		
Master's	16 (15.84)	75 (22.52)		
Doctorate	0 (0.00)	6 (1.80)		

* $p \leq .05$

Table 7a. Differences between female and male educators accused of ESM in Texas, employment information

Employment characteristics	Females <i>n</i> (%)	Males <i>n</i> (%)	χ^2	(ϕ)
Primary role			6.15	.12
Teacher	75 (75.00)	277 (83.94)		
Educational aide	20 (20.00)	37 (11.21)		
Administrative	1 (1.00)	7 (2.12)		
Other	4 (4.00)	9 (2.73)		
Grade levels taught			7.73	.13
All grade levels	6 (6.00)	21 (6.36)		
Elementary	7 (7.00)	40 (12.12)		
Middle	20 (20.00)	52 (15.76)		
High school	42 (42.00)	166 (50.30)		
Not applicable	25 (25.00)	51 (15.45)		
Type of educator sexual misconduct			8.16*	-.13
Sexual misconduct	4 (3.74)	49 (13.76)		
Inappropriate relationship with student or minor	103 (96.26)	307 (86.24)		
Sanction disposition			12.35	.16
Administrative closure	24 (22.43)	112 (31.46)		
Certificate denied	3 (2.80)	3 (0.84)		
Do not hire registry	4 (3.74)	3 (0.84)		
Inscribed reprimand	15 (14.02)	43 (12.08)		
Non-certification administrative closure	0 (0.00)	0 (0.00)		
Permanent revocation	7 (6.54)	20 (5.62)		
Revoked	8 (7.48)	37 (10.39)		
Suspended	13 (12.15)	37 (10.39)		
Voluntary surrender	33 (30.84)	101 (28.37)		
Summary of sanction disposition			3.23	- .08 [†]
Negative consequence	83 (77.57)	244 (68.54)		
No negative consequence	24 (22.43)	112 (31.46)		

Note. * $p \leq .05$ † $p < .10$

Among the ESM cases in this study, female educators comprise of 22.48% of the sample. The average age of female educators is in her thirties. The majority of females accused of ESM are White and Hispanic/Latino and most have a bachelor's degree. Furthermore, female educators are relatively new at their job, are in a teaching role, and work at the high school level at the time of the investigation. More so, male educators accused of ESM make up 74.79% of the sample and are approximately forty years old, on average. In addition, most male educators in the sample are White or Hispanic/Latino, have a bachelor's degree, and less than 10 years of employment. Also, majority have a teaching position and about half of male educators accused of ESM are employed at high schools.

Overall, there are several notable differences between female and male educators accused of ESM. First, female educators comprised of only 22.48% of ESM cases closed in 2019. On average, female educators accused of ESM were about seven years younger than males. Additionally, accused female educators were more likely than male educators to be White but were less likely to be African American or Hispanic/Latino. Also, females in this sample had a higher chance of having no degree, but were similar to males with regard to having a bachelor's degree. Furthermore, female educators were less likely than male educators to hold a master's degree. In terms of annual salary, female educators were paid on average \$7,000 less than male educators. By examining case characteristics, females were accused more often than males of having an inappropriate relationship with a student or minor. Last, no significant difference was found between females and males with regard to the type of sanctions they received.

V. DISCUSSION AND CONCLUSION

The purpose of this study was to identify characteristics among female and male educators accused of ESM in Texas ($N = 476$) and assess the differences between these two groups. All of the cases that were closed in 2019 were obtained from TEA and examined for this study. To the best of the researcher's knowledge, no empirical studies exist that rely upon the chivalry and evil women hypotheses as the theoretical backdrop to compare sanction differences between female educators accused of ESM and their male counterparts. This research addresses this gap in the literature and it also provides more information about a type of sexual abuse that occurs in school settings that affects a vulnerable group of victims: children. Despite ESM being a focus of the media in recent years (Henschel & Grant, 2019), there is still a lack of action that comes from lawmakers on how to best prevent and reduce the occurrence of ESM (Abboud et al., 2020). Parents entrust their children to be in a safe school environment and CSA, in any form, must be addressed with policies and procedures that are supported by research.

Characteristics of Females and Males Accused of Educator Sexual Misconduct (ESM)

The characteristics of Texas female educators accused of ESM are consistent with recent literature focused on ESM, but not all. Among this sample, 22.48% of the educators accused of ESM were female, which is slightly lower than recent studies that examined ESM offending where they ranged from 25% to 33% of female educators in their samples (e.g., Henschel & Grant, 2018; Robert & Thompson, 2018). In contrast, the proportion of females in this research is higher than the results in other studies where 4% to 13% were shown to be female educators accused of ESM (e.g., Canadian Centre for Child Protection Inc., 2019; Jaffe et al., 2013; Shakeshaft & Cohan, 1995).

The variation of the number of female educators alleged to have committed ESM across the existing studies may be due to several factors. Existing research has relied on female sample sizes that range from 9 to 318 (e.g., Canadian Centre for Child Protection Inc., 2019; Henschel & Grant, 2018; Robert & Thompson, 2018; Shakeshaft & Cohan, 1995). Due to differing sample sizes of past research, it is challenging to ascertain a consensus on female ESM offending. Another reason for the variation in offending may be due to the perception that when women are accused of a crime, they may be socially considered unable to instigate a sexual offense (Crew, 1991). This belief may influence people to be less inclined to accuse a female educator of ESM, thus affecting reported rates of female ESM offending. For this reason, large samples of female educators simply do not exist and, therefore, are not relied upon.

Many states do not have formal policies to either identify ESM or prevent against this type of misconduct (Abboud et al., 2010). Furthermore, among states that do have laws against ESM, many do not acknowledge or protect students who have reached the age of consent (Shakeshaft, 2004). Thus, restricting researchers' scope of investigating ESM and limiting the sample sizes used in research. Institutions, such as schools, often lack the formal policies and procedures to respond appropriately (Vandiver & Braithwaite, 2022). Additionally, the wide variation in offending of ESM by female perpetrators may partly be due to the newness of recognizing ESM.

This study's proportion of males accused of ESM differs from the number of male educators within the general teaching population. Male educators make up the majority of those accused of ESM, however, they are the minority in their teaching occupation. Similar to previous studies (e.g., Brady, 2015; Brady & Tajalli, 2018; Canadian Centre

for Child Protection Inc., 2019; Corbett et al., 1993; Henschel & Grant, 2018; Jaffe et al., 2013; Nhundu & Shumba, 2001; Robert & Thompson, 2018; Shakeshaft & Cohan, 1995), a large percentage (e.g., 74.79%) of ESM cases in this study are male perpetrated. Since 2015, male educators comprised of between 23.59% and 24.10% of all educators in Texas (Landa, 2022). Robert and Thompson (2018) assessed 1,241 ESM cases in Texas and their results showed that male educators comprised 74% of those who were accused of ESM, which is precisely what the current research has noted. A factor that may explain why males dominate this type of offense in research may be how people view females, in comparison to males, who commit ESM. Prior researchers have assessed people's perception of ESM and found that male offenders were viewed more negatively than female offenders (Dollar et al., 2004; Fromuth & Holt, 2001, 2008; Fromuth et al., 2016; Howell et al., 2011). Furthermore, there exists the possibility that male educators commit ESM at higher rates than female educators, similar to what is generally seen in studies investigating other types of child sexual abuse (e.g., Denov, 2003; Weinsheimer et al., 2017).

Age of Female and Male Educators Accused of Educator Sexual Misconduct (ESM)

Much of the research within the ESM literature does not examine age differences between female and male educators. Thus, a comparison cannot be made in great detail. In this sample, the average age of a female educator is 34.49 years old, which is similar to the results reported by the Canadian Centre for Child Protection Inc. (2019). This finding slightly differs from what was reported by Christensen and Darling (2020) who found that the average age of female educators at the time of the offense was 30.58 years, but their sample consisted of only 20 female educators. In terms of the male educators in this

study, on average, they were found to be older than females (41.19 years). This average age of an educator at the time an allegation was filed coincides with what has been found in previous research (e.g., Canadian Centre for Child Protection Inc., 2019; Robert & Thompson, 2018); however, these studies did not disaggregate educators by sex. Although the prior studies grouped female and male educators together, a potential reason for why similar ages were noted in this study and previous ones may be because males dominated the sample size. Hence, the average age of those accused of ESM is artificially inflated. Accordingly, future analyses of ESM offenders' ages should be separated by sex to determine a clear consensus on the average age of female and male educators accused of ESM.

Race/Ethnicity of Female and Male Educators Accused of Educator Sexual Misconduct (ESM)

In this study, the categories for race/ethnicity were White, African American, Hispanic/Latino, Asian, American Indian or Alaska Native, and Two or more races. Due to the nature of the data, race and ethnicity could not be separated for analysis. Regardless of sex, those who are White and Hispanic/Latino were found to be the majority of those accused of ESM. This finding coincides with prior ESM research, where White educators were more likely than other races/ethnicities to be accused of ESM (Brady, 2015; Brady & Tajalli, 2018; Henschel & Grant, 2018; Robert & Thompson, 2018). In the 2019-2020 school year there were approximately 370,177 educators employed in Texas. An explanation for why White educators are most often accused of ESM may be because they are equally represented in the population of educators. According to a report by the TEA, White educators comprised of 57.74% of

the Texas teaching population in the 2019-2020 school year (Landa, 2022); hence, making them the largest group.

Grade Level of Female and Male Educators Accused of Educator Sexual Misconduct (ESM)

Concurring with another study (Ratliff & Watson, 2014), the majority of the female sample were employed at the high school level when they were accused of ESM. Regardless of sex, other research has noted that ESM occurs more frequently in high schools (Canadian Centre for Child Protection Inc., 2019; Henschel & Grant, 2018). The reason for this may be attributed to the type of ESM allegation. For example, most females were accused of having an inappropriate relationship with a student or minor. Additionally, scholars have identified the *teacher/lover* (Mathews et al., 1989) and *heterosexual nurturer* (Vandiver & Kercher, 2004) as categories within a typology of females who have committed a sexual offense. Both subtypes state that the offenders engage in sexual misconduct by pursuing an inappropriate relationship with a child (who is often a young male student). A relationship needs two or more engaging individuals, which is not often seen with younger victims. Thus, having a relationship with a student may occur more frequently with victims attending high school.

Salary of Female and Male Educators Accused of Educator Sexual Misconduct (ESM)

Research on the salaries for those accused of ESM has barely been touched upon in the literature. A study by Robert and Thompson (2018) constructed an ESM Texas database where they evaluated educators' salaries. Their average salary, including females and males, was found to be \$43,806. This salary figure is lower than the average salaries found in this study for both female and male educators. A reason why there is such a difference is because the Robert and Thompson (2018) article examined data from

2008 to 2016, which may not represent more recent salaries that have likely increased due to the rise in the cost of living, et cetera. Additionally, the current finding shows that there exists a pay gap between female and male educators accused of ESM in Texas. Specifically, females were found to make less money than males annually, which reflects the gender pay gap that has been noted in the teaching population more generally (Fox et al., 2019; Grissom et al., 2021). Reasons for why female educators are annually paid less than males may be due to the number of hours worked, having supplemental income, and qualification differences.

Educational Level for Female and Male Educators Accused of Educator Sexual Misconduct (ESM)

There are relatively no existing studies that describe the academic qualifications of educators accused of ESM in detail. Regardless of sex, the finding in this research shows that most educators had at least a bachelor's degree. This is similarly found in an article by Steely and Bensel (2020) where they examined interviews of 35 female educators who were registered as sex offenders due to their misconduct. Their findings indicated that approximately 83% of their sample were educated above the high school level.

Additionally, studies that compare the academic qualifications of educators by sex do not exist. The results in this research found that male educators accused of ESM were more academically qualified than female educators. This may be due to the fact that males are probably more likely to be in positions that require a higher education, such as administrators or principals. Hence, explaining why differences in education level between female and male educators were observed in this study.

Length of Employment for Female and Male Educators Accused of Educator Sexual Misconduct (ESM)

On average, female educators were accused of ESM within their first five years. This finding is similar to a study by Steely and Bensel (2020) where the researchers examined interviews of 35 female educators who committed ESM. Their average length of employment was found to be 3.6 years. Despite the ESM literature not separating analyses by sex, this finding is much lower than what other research has shown (e.g., Brady & Tajalli, 2018; Robert & Thompson, 2018). Furthermore, male educators were accused of ESM in their first eight years of work. This is similarly found in Nhundu and Shumba's (2001) research where they had assessed 110 male educators accused of ESM and found that most of them had less than ten years of experience working in schools.

Regarding the differences found between female and male educators in the current research, there are possible factors that contribute to this. It is noted that female educators had less work experience than male educators when they were accused of ESM. One reason for this may be because males who engage in sexual offending are better skilled than females at hiding it. Furthermore, male educators might be given more leniency by being allowed to continue working at their jobs after their first offense. Thus, granting them more opportunities to refine grooming techniques which allow for ESM to go undetected.

Differences in Case Characteristics

Female and male educators differed in the type of misconduct they were accused of doing. Female educators committed less serious ESM than males. Only 3.74% of females compared to 13.76% of males were accused of engaging in sexual misconduct. Sexual misconduct includes sexual assault, sexual abuse, indecent exposure, possession,

sale or manufacture of child pornography, indecency with a child, enticing a child, fondling, solicitation of a minor, public lewdness, pornography, and prostitution. Additionally, female educators were more likely than males (96.26% compared to 86.24%) to be accused of engaging in an inappropriate relationship with a student or minor. An example of this less serious form of ESM may include sexting a student or flirting. Similarly, Robert and Thompson (2018) had found that most of those in their female sample were accused of having an inappropriate relationship with a student or minor, yet their research relied upon a similar sample from Texas. A different study had assessed the differences in misconduct by sex and found that males were more likely to commit sexual offenses than female educators (Brady, 2015). Thus, the findings in this research relate to what has previously been examined in the literature.

Sanction Outcome of Educators Accused of Educator Sexual Misconduct (ESM)

The majority of female educators in this sample received a negative sanction outcome suggesting that the allegations were founded. Similarly, most male educators also received a negative sanction. Additionally, there was not a significant difference in sanctioning between Texas female and male educators accused of ESM. According to the literature, there is no research on assessing the general sanctioning differences between female and male educators accused of ESM. In a study conducted by Brady and Tajalli (2018), the researchers evaluated ESM sanctioning between sex and found that female educators were more likely to be barred from teaching for having an inappropriate relationship with a student or minor. Also, male educators were more likely than female educators to be given a severe punishment for sex-related misconduct. Furthermore, a

different study founded that most educators were allowed to resign or leave their district of employment (Shakeshaft & Cohan, 1995).

Chivalry and Evil Women Hypotheses

One of the goals of the study was to assess sanction differences between Texas female and male educators accused of ESM and determine whether a gendered lens affects the outcome of ESM allegation. Thus, the results were assessed with regard to whether they lend support to the chivalry or evil women hypotheses. The chivalry hypothesis contends that females are treated more leniently than males with regard to sanctions they receive from a formal authority (Shaw et al., 2020). The evil women hypothesis, on the other hand, posits that females are given harsher punishment than males, as the behavior defies their stereotypical gendered characteristics, such as being nurturing (Daly, 1989). The results from the study, however, indicate that among known/reported Texas ESM cases closed in 2019, differences between female and male educators could not be found with regard to sanction outcomes. Support for either hypothesis, therefore, was not found. This indicates that sex-based biases may not exist in sanction outcomes of ESM cases.

This finding has been noted in previous studies that examined support for the chivalry and evil women hypotheses within the criminal justice system (e.g., Curran, 1983; Daly, 1987; Embry & Lyons, 2012; Franklin & Fearn, 2008; Hassett-Walker et al., 2014; Rodriguez et al., 2006). Additionally, another reason for the study's finding may be attributed to a trend of equal justice for females and males. Bontrager et al. (2013) noted this same reasoning to explain diminished differences over time in sanctioning outcomes

between females and males in their meta-analysis. Furthermore, the results may be attributed to schools' lack of knowledge or response to ESM cases.

Limitations

Although the findings of this study are valuable, they are not without limitations. First, because very few ESM cases are reported, these findings do not reflect the actual number of cases that occurred. This is a limitation, however, that plagues much of the sexual violence literature. Other researchers in this area have also faced the same problem when analyzing their data (e.g., Nishimura, 2019; Ratliff & Watson, 2014).

For this study, the cases were limited to cases that were closed in 2019. This means the data only reflects cases closed in 2019 and not necessarily cases that occurred in 2019. For example, this research may include information on a case opened in 2014, limiting the researcher's claim of examining only the most recent data. Therefore, the results in this research do not represent all reported cases in Texas or those currently under investigation. Finally, a common definition for ESM amongst studies does not exist, which affects the generalizability of results. This holds true for the research presented here because the TEA does not have a precise classification for ESM, making it difficult for the results here to be adequately compared to previous studies and to other states in the United States.

Additionally, other factors, such as the type of ESM, were not controlled in this research. Descriptive and bivariate analyses were performed to assess whether female educators accused of ESM differed from male educators with regard to case outcome. Further analysis was not conducted to identify if there were sanction differences between female and male educators based on the severity of their misconduct. Thus, the results

from this study cannot assess the validity of the chivalry or evil women hypothesis based on the type of behavior the educator was accused of committing.

Future Research

Future research on ESM victim characteristics, such as race, grade level, and sex, and how they might affect sanctioning, should be investigated, especially with larger samples. This information may help identify who is most likely to be targeted, thus aiding both parents and schools in their preventative efforts against ESM. Furthermore, studying how technology, such as smartphones and the internet, affects ESM may be beneficial in identifying where the initial communication took place between educator and student. This is important because it will allow for identification of common online platforms used by educators and students to communicate with one another and will guide schools in refining their social media policies. Another recommendation is for scholars to examine different sources of data. For instance, utilizing police data will help examine the criminal penalties associated with ESM. This method, coupled with acquiring data from the state agency, will allow for comparisons to be made of how schools and law enforcement handle ESM offenders.

In addition, future research on ESM sanctioning should implement further statistical testing, such as logistic regressions, to identify what factors affect whether an educator receives a negative sanction or not. By doing so, this will contribute information towards the sparse ESM literature. It will also provide a more in-depth assessment on the applicability of the chivalry and evil women hypotheses towards ESM sanctioning based on sex. More importantly, the results from performing deeper analyses may present

insight to school officials on their sanctioning practices and educate parents on the characteristics related to ESM offending.

Moreover, an analysis of how offender attractiveness influences sanctioning outcomes is recommended for future studies to investigate. This is sometimes known as the *good-looking effect*, and it may lessen punishments for offenders with desirable qualities (Vrij & Firmin, 2001). In more specific circumstances, the act of glamourizing ESM in media-reported cases. For example, when news channels publish an ESM case where the offender is female, many of the social media comments by male individuals consist of them expressing how attractive she is and how they wished she was their teacher (Zack et al., 2016). This viewpoint may minimize the perceived seriousness of the offense and thus, increase the likelihood for the offender to be handed a light punishment. More research needs to be conducted in order to confirm or deny this assumption.

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