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**CHILD SEXUAL ABUSE AND SEXUAL MISCONDUCT
WITHIN THE K-12 EDUCATION SYSTEM**

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Abstract

This report reviews sexual misconduct by teachers and other school personnel within the context of child sexual abuse (CSA) and the sexual grooming process, examining legislation at the Canadian and international level; as well as within the broader category of professional misconduct, exploring policies and practices that address sexual misconduct by school personnel specifically across the Canadian provinces; and identifying gaps and trends in the data, reporting and disciplinary processes across jurisdictions.

Educator, or, more broadly, school employee/personnel sexual misconduct, includes sexually abusive behaviours that may or may not constitute criminal offences that are conducted within the context of educational institutions, and is a form of professional misconduct. Professional misconduct is a term used in the educational context to refer to acts and situations that may result in professional sanction, and includes when a student is sexually abused by a teacher or other school personnel. This form of sexual misconduct is placed within the context of abuse by trusted professionals and community institutions that serve children, as well as inappropriate interactions and the violation of professional boundaries that may not meet the threshold of sexual abuse under the *Criminal Code*.

Child Sexual Abuse in Canada - An Overview

1 in 10 Canadians have reported being sexually victimized before the age of 18 (Afifi, MacMillan, Boyle et al., 2014). In the majority of child sexual abuse (CSA) cases, the offender was known to the child (Department of Justice Canada, 2013). Police-reported incidents of sexual violations against children continue to increase; this is attributable to significant increases in incidents of luring a child via computers, as well as the establishment of specialized units in a police service proactively investigating this type of crime (Department of Justice Canada, 2019).

Between 2014 and 2020, police reported 10,739 incidents of online sexual offences against children (where the victim had been identified by police); statistics make it evident that online CSA is a form of gender-based violence -seven in ten (73%) victims identified in online sexual offences against children were girls aged 12 to 17 and 13% were girls under age 12. The majority (91%) of people accused of online child sexual exploitation and abuse were male – and they were generally much older than victims (Ibrahim, 2022).

There is no agreed upon framework standard for the conceptualization of CSA and victimization. Researchers use broad terms such as “grooming”, “sexual abuse”, “sexual assault”, and “sexual misconduct” to describe and categorize cases. But there is no clear consensus or understanding of what behaviours are encompassed by these terms. There is also no accepted framework for categorizing offence types; there are inconsistencies in how these terms are defined and acknowledged (C3P, 2022).

CSA includes a range of behaviours, from contact offences, such as touching or fondling a child’s genitalia, to less obvious non-contact offences, which include exposing a child to

sexually explicit material, voyeurism, luring a child online for a sexual purpose, and inviting a child to sexually touch themselves or someone else. Children can experience trauma from both contact and non-contact sexual offences (C3P, 2018).

In the Canadian legal context, the crime of online child sexual exploitation and abuse includes: CSA material, self-generated materials and sexting (often distributed without consent), sextortion, grooming and luring, live CSA streaming and made-to-order content (Public Safety Canada, 2022). There is no specific definition for the crime of online child sexual exploitation and abuse in the [Criminal Code](#).

Every child has a right to protection, as a fundamental human right. Children (under age 18) also have specific rights, recognized in the 1989 [Convention on the Rights of the Child](#), given their vulnerability and dependence. In 1991, Canada ratified the United Nations *Convention on the Rights of the Child*, pledging to protect children from all forms of exploitation and abuse, among other forms of harm and endangerment. The provision and protection of children's Convention rights is the primary responsibility of governments at all levels (UNICEF Canada, 2022, as cited in Public Safety Canada, 2022). Canada has also signed on to the [Optional Protocol to the Convention on the Rights of the Child](#) on the sale of children, child prostitution and child pornography (United Nations Human Rights Office of the High Commissioner 2022). (Ibrahim, 2022).

In 2004, the *National Strategy for the Protection of Children from Sexual Exploitation on the Internet* was developed to combat this crime in Canada. The National Strategy has been renewed and expanded, and in 2019 a renewed commitment was made with the Government of Canada allocating funds to support efforts to raise awareness, reduce the stigma associated

with reporting, increase Canada's ability to pursue and prosecute offenders and work together with the digital industry to find new ways to combat the sexual exploitation of children online. Budget 2021 proposed to provide \$20.7 million over five years, starting in 2021-2022, for the Royal Canadian Mounted Police (RCMP) to enhance its ability to pursue online child sexual exploitation investigations, identify victims and remove them from abusive situations, and bring offenders to justice (Public Safety Canada, 2022).

The RCMP's [National Child Exploitation Crime Centre](#) (NCECC) is the national law enforcement arm of the National Strategy and serves as the central point of contact for investigations related to the sexual exploitation of children online across the country and internationally, when the victim or offender is Canadian. The [Department of Justice Canada](#) reviews and develops legislation, and provides training, advice and support to federal partners and others (Public Safety Canada, 2022).

The [Canadian Centre for Child Protection \(C3P\)](#) Inc. is a national charity dedicated to the personal safety of all children. Their goal is to reduce the sexual abuse and exploitation of children, to assist in the location of missing children, to prevent child victimization, and educate the Canadian public about ways to keep children safe (C3P, 2022). C3P is a key partner under the National Strategy; they are responsible for the operation of [Cybertip.ca](#), where Canadians can report suspected cases of online sexual exploitation of children (Public Safety Canada, 2022).

[Public Safety Canada](#) participates in several international efforts to protect children from online sexual exploitation, including the Five Country Ministerial and its "Countering online child sexual exploitation and abuse: Digital industry roundtable" communique issued in

London, UK in 2019. Canada is a member of the [WePROTECT Global Alliance to End Child Sexual Exploitation Online](#) (WPGA). In 2020, Canada welcomed the release of the [Voluntary Principles to Counter Child Sexual Exploitation and Abuse](#), which provide a common and consistent framework to combat online sexual crimes against children, as well as drive collective action between governments and industry partners (Public Safety Canada, 2022).

In Canada, there are a number of criminal offences that protect against the sexual abuse of children by adults and/or those in a position of trust or authority, and in the context of exploitation. In terms of in-person offending, the *Criminal Code* prohibits the offences of sexual interference (touching of a child under 16 for a sexual purpose whether directly or indirectly, such as with an object) (section 151), invitation to sexual touching (encouraging a child under 16 to touch themselves or someone else for a sexual purpose, whether in person or online) (section 152), and the sexual exploitation of a young person, which applies to children aged 16 and 17 (section 153), among others (C3P, 2018; 2019).

New offences have been added to the *Criminal Code* to address online risks to children, including the offence of online luring (which prohibits electronic communications with children that are designed to facilitate a sexual offence against the child) (section 172.1) (C3P, 2019), and the offence of agreement or arrangement (when two or more individuals use technology to agree to or arrange for the sexual abuse of a child) (section 172.2(1)) (C3P, 2018).

With regards to the offence of online luring (section 172.1 of the *Code*), the “preparatory” steps taken to “groom” children are a criminal offence, even before an actual sexual crime is committed or even attempted; this provision was first tested and given a broad interpretation by the Supreme Court of Canada in the case [R. v. Legare](#) in 2009, potentially

making it easier to prosecute offenders. What matters is not so much the content of what's said online, but whether it can be shown "beyond a reasonable doubt" the conversation was "for the purpose of facilitating" a future offence (MacCharles, 2009).

Interestingly, in 2019, in [R. v. Morrison](#), the Supreme Court of Canada struck down two parts of the child luring laws found under section 172.1 of the *Code*. Morrison was convicted of child luring and the conviction was upheld by the Ontario Court of Appeal. On appeal to the Supreme Court of Canada, Morrison brought three *Charter of Rights and Freedoms* challenges pertaining to section 172.1 of the *Code*, and his conviction was overturned, with the Court ruling unanimously that the government's wording of the child luring law violates the presumption of innocence guaranteed by the *Charter*. It is the role of the Crown to prove beyond a reasonable doubt that an accused genuinely believed he/she was communicating with an individual who was underage. The accused, in his/her defence, may prove that he/she took "reasonable" steps to determine if the alleged victim was underage. If this cannot be shown, then the accused cannot argue that he/she believed the alleged victim was of legal age (Barrison Law Criminal Defence, 2019).

In 2021, MP Jasraj Singh Hallan introduced Bill C-304 An Act to amend the *Criminal Code* (grooming). This bill would make grooming behaviour an aggravating factor that the courts would consider when sentencing individuals convicted of sexual offences against young persons. This enactment amends the *Criminal Code* to provide that when a court imposes a sentence for certain sexual offences, it would consider as an aggravating factor the fact that the offender communicated with the victim, or engaged in conduct in relation to them, with the

intention that the communication or conduct led the victim to participate in the activity that is the subject of the offence (Parliament of Canada, 2021).

Criminal offences protecting children from sexual abuse and exploitation are predicated on the age of protection – the age at which a child can legally consent to sexual activity (C3P, 2018) -as well as the nature of the relationship between the child and the other person (C3P, 2019). The age of protection in Canada is generally 16 years old, but the *Criminal Code* increases that age to 18 in the context of certain relationships (C3P, 2018). Pursuant to section 150.1 of the *Criminal Code*, no child under 12 can consent to sexual activity, and children under 16 can only consent to sexual activity within certain age limitations and provided there is no relationship of trust, authority, dependency, or exploitation (C3P, 2019).

From age 16 onward, there are no strictly age-based bars on sexual consent, but the sexual exploitation offence (section 153) of the *Criminal Code* steps in to guard children ages 16 and 17 in certain scenarios (C3P, 2019). The combined effect of sections 150.1 and 153 of the *Criminal Code* means that if a person is in a position of trust or authority (e.g., a coach, teacher) over any child between the ages of 12 and 17, if the child/youth is dependent on that other person, or if the relationship is exploitative of the child/youth, that child/youth is not able to legally consent until they are 18 years old. The increased age takes into account the inherent vulnerability of the child/youth and is meant to protect them in situations that involve a power or other imbalance (C3P, 2018; 2019). The *Criminal Code* also criminalizes the creation, distribution, possession and access of child pornography, under section 163.1(1)(a).

Sexual Grooming

Sexual grooming is considered integral to the CSA process (Winters, Kaylor, & Jeglic, 2022). As a construct the term was first identified in the early 1980s when law enforcement agencies observed that extrafamilial child sexual abusers gravitated to child-serving organizations to gain access to victims and engaged in pre-offence behaviours prior to the commission of the abuse (Lanning, 2018). Kenneth Lanning, retired supervisory Special Agent from the FBI and a seminal researcher of criminal sexual behaviour since the 1970s, describes grooming as “specific nonviolent techniques used by some child molesters to gain access to and control of their child victims” (Lanning, 2018).

Winters et al. (2022) note that while there have been significant developments in the field of sexual grooming research in the past 20 years, there has yet to be a universally accepted definition of the construct that condenses and summarizes this complex process. The authors write that generally speaking, sexual grooming refers to a process by which an offender skillfully manipulates a potential victim into situations in which abuse can be more readily committed, while simultaneously preventing disclosure.

It is estimated that a significant portion of all cases of CSA involve sexual grooming behaviours (Winters & Jeglic, 2022a). It is often difficult to differentiate normal adult/child interactions from those that are sexually motivated, as the behaviours may appear similar on the surface, but the underlying purpose of sexual grooming is deviant in nature (Winters et al., 2022). Given that sexual grooming is a multifaceted process in which many of the behaviours in and of themselves are harmless or appropriate adult/child interactions, it is unlikely that law

enforcement would detect many of the sexual grooming behaviours prior to the commission of the sexual abuse, especially in intrafamilial and institutional cases (ibid).

Winters and Jeglic (2017) found that individuals have trouble identifying potentially predatory sexual grooming behaviours; yet, interestingly, their earlier research (Winters & Jeglic, 2016) found that once people know a person committed a sexual offence against a child, they overestimate the likelihood they would have predicted it – what is referred to as the hindsight bias. Distinguishing between sexually motivated grooming and normal adult/child interactions is especially difficult when the witnesses have no knowledge of the grooming tactics employed by child molesters. Thus, there is a significant need to learn more about the sexual grooming behaviours of these offenders and how they may be identified prior to the commission of the abuse (Winters & Jeglic, 2017).

Winters et al. (2022) note that the inability to differentiate between sexually versus non-sexually driven behaviours with children poses a significant limitation to understanding and researching sexual grooming; thus, it is imperative that models and definitions of sexual grooming identify behaviours and tactics that are more easily measurable and observable in order to facilitate prevention and intervention efforts.

There has been a vast amount of literature that suggests there are common grooming behaviours that occur during the processes of selecting a vulnerable victim, gaining access to the child, developing trust, and desensitizing the victim to touch; these “stages” or “steps” are clusters of grooming behaviours that some predatory child molesters may enact (Winters & Jeglic, 2017).

Winters, Jeglic, and Kaylor (2020) developed a comprehensive model of sexual grooming that is comprised of observable and measurable behaviours. The Sexual Grooming Model (SGM) proposed five overarching stages: 1) victim selection, 2) gaining access and isolating the child, 3) trust development, 4) desensitization to sexual content and physical contact, and 5) maintenance following the abuse. The authors conducted a thorough review of the literature to identify these stages, as well as develop a comprehensive list of specific behaviours. The SGM is the first model of sexual grooming to have received empirical support for its content validity and serves as the foundation in the formulation of a new operational definition of the construct (Winters et al., 2022).

A major benefit of the SGM's framework is that it is intuitive, easily understood, and backed by a foundation of literature. Having a comprehensive and understandable model of sexual grooming comprised of specific observable behaviours can be used to educate parents and individuals who work with children on how to recognize potential sexual grooming behaviours prior to the abuse (Winters et al., 2020).

Most recently, Winters and Jeglic (2022b) developed the *Sexual Grooming Scale – Victim Version (SGS-V)* to assess adult CSA victims' experiences with the sexual grooming stages and behaviours described in the content-validated Sexual Grooming Model. The *SGS-V* was pilot tested and the results supported the feasibility in terms of implementation and its limited-efficacy. The *SGS-V* has the potential to be helpful in a range of practical settings: Clinicians can use it to gather information about clients' experiences of sexual grooming during clinical evaluations and for treatment; law enforcement or prosecutors working with victims of CSA can use the *SGS-V* to gather evidence of potential sexual grooming behaviours in CSA cases; and

finally the content of the SGS-V and empirical findings regarding prevalence will help inform CSA prevention efforts. The authors note that information gained from the SGS-V can then be integrated into educational materials for parents, caregivers, community members, and those who work closely with children.

There is still great variation within the field on how to define the sexual grooming process and much of the literature is outdated. Based on their review and critique of past definitions, Winters et al. (2022) recommend that a definition of sexual grooming should: 1) specify that sexual grooming is used to facilitate CSA; 2) avoid stating sexual grooming is strictly a “conscious” process; 3) apply to a broad range of offenders and victims; 4) avoid terminology that blames the victim; 5) avoid stating specific sexual grooming behaviours; 6) specify that sexual grooming may or may not include sexual grooming of caretakers or the community; and 7) specify that sexual grooming can be used post-abuse to maintain victims.

Furthermore, Winters et al. (2022) note that a definition of sexual grooming should address that: 1) grooming is a “process”; 2) which utilizes various steps; 3) that are deceptive in nature; 4) with the aim of more easily enacting sexual abuse, facilitating future sexual abuse, and avoiding disclosure. They write that a definition of sexual grooming must encapsulate the nuances (or complexities) of the construct of sexual grooming; the process is a multidimensional construct as there are various underlying behaviours that come together to constitute sexual grooming. They propose the following definition:

“Sexual grooming is the deceptive process used by sexual abusers to facilitate sexual contact with a minor while simultaneously avoiding detection. Prior to the commission of the sexual abuse, the would-be sexual abuser may select a victim, gain access and isolate the minor, develop trust with the minor and often their guardians, community, and youth-serving institutions, and desensitize the minor to sexual content and physical

contact. Post-abuse, the offender may use maintenance strategies on the victim to facilitate future sexual abuse and/or to prevent disclosure.” (p.933).

Winters et al. (2022) argue that a definition of sexual grooming is necessary to create a universal understanding of the topic not only for researchers, but also for criminal justice professionals and policymakers, clinicians, organizations/institutions, and parents/community members. This information can be used for investigating and prosecuting child sexual abusers, as well as informing decisions post-conviction, such as sentencing, protection applications, or supervisions (e.g., parole or probation) of those who have committed CSA.

An important area for future examination is the notable differences across legal definitions of sexual grooming. With additional empirical support, a definition such as the one proposed by Winters et al. (2022) could potentially inform policymakers in the creation of legislation that would deem these pre-offence sexual grooming behaviours as an offence, even if a contact sexual offence was not committed.

Winters et al. (2020) note that the legal definition of sexual grooming is not necessarily synonymous with the concept of in-person sexual grooming as outlined in the scientific and theoretical literature. It is important to have a legal definition of sexual grooming for the purposes of prosecution of these crimes; however, legal definitions typically lack specificity (e.g., what behaviours that would be indicative of grooming).

Grooming Legislation

As of 2017, there were 63 countries that had sexual grooming legislation (International Centre for Missing and Exploited Children (ICMEC), 2017); however, many of these focus on online offending behaviours or sex trafficking, and neglect to account for the in-person sexual

grooming in the absence of committed abuse (Winters et al., 2022). Winters and Jeglic (2022a) argue that sexual grooming legislation must be broad enough to be able to cover behaviours exhibited in both online and in-person cases of sexual grooming. The authors further note that there is no comprehensive review of international in-person sexual grooming legislation at this time.

The online grooming laws that do exist predominately require that communication with the child be followed by a meeting in person or a clear plan to meet, such as traveling or making arrangements to meet the child. Only 34 countries in the ICMEC's review criminalize online grooming regardless of the intent to meet the child offline (non-contact abuse). Recent research has indicated that an increasing number of grooming cases take place completely online, with the offender having no intention to meet the child offline; hence, it is important that online grooming legislation criminalize all types of child grooming, regardless of whether the offender intends to meet the child in person (ICMEC, 2017).

The extent to which technology is being used in the perpetration of in-person, contact CSA remains unclear; recent research suggests that a significant number of children who experience online sexual abuse know the person offline (Finkelhor, Turner, & Colburn, 2022; Jeglic & Winters, 2023). Understanding how perpetrators are using technology is essential for the prevention of CSA. As research is revealing which sexual-grooming behaviours may be red flags for offline CSA (see Jeglic, Winters, & Johnson, 2023), it is important to understand how those behaviours are "manifested technologically for prevention efforts" (Jeglic & Winters, 2023).

The Council of Europe's [Convention on the Protection of Children Against Sexual Exploitation and Abuse](#) (also known as the Lanzarote Convention) is the only international legal

instrument that specifically addresses online grooming. It explicitly defines grooming (ie., solicitation of children for sexual purposes), but requires that the proposal to meet be followed by material acts leading to a meeting. It is important that international instruments also address grooming in situations where the offender does not meet the child in person, as in many cases sexual abuse begins prior to meeting or remains solely online. The Convention is open for signature by member States, non-member States that have participated in the Convention's elaboration, and by the European Union, and for accession by other non-member States (ICMEC, 2017). It has not been ratified by Canada.

The [EU Directive on combatting the sexual abuse and sexual exploitation of children and child pornography](#) (Directive 2011/93/EU) was adopted by the European Parliament and the Council of the European Union in 2011; it improves and updates the 2010 Lanzarote Convention. The Directive synchronizes and increases the penalties for a number of criminal sex offences against children, including sexual abuse, sexual exploitation, CSA material, and grooming. The Directive requires Member States to take a comprehensive, proactive approach by implementing measures aimed at not only intervention, but also prevention. It falls short of establishing online grooming as a standalone offence; while it mandates Member States to criminalize offline grooming, occurring outside of the Internet context, online solicitation requires that "material acts leading to such a meeting" follow the proposal in order to establish the offence under the Directive. Member States are directed to allow law enforcement officers to operate under a concealed identity on the Internet during investigations (ICMEC, 2017).

Winters and Jeglic (2022a) outline a number of challenges in developing sexual grooming legislation. First, as has been mentioned above, there is no consensus as to how child

sexual grooming is defined and which behaviours and tactics comprise it. Furthermore, the characteristics of sexual grooming can differ based upon the age of the victim, the relationship between the victim and the perpetrator, and the context in which the abuse takes place (see Winters et al., 2022). Without a clear understanding of the construct of child sexual grooming, including specific observable behaviours and tactics, it has not been possible to develop legislation grounded in scientific principles (Winters & Jeglic, 2022a). Child sexual grooming behaviours differ by the setting and, thus, may be exhibited somewhat differently when they happen online versus in-person. Online sexual grooming follows many of the same patterns or stages as in-person sexual grooming; however, it tends to take place over a short period of time (Winters et al., 2017, as cited in Winters & Jeglic, 2022a).

One of the biggest issues with legislating pre-abuse behaviours is determining intent. To find someone guilty of sexual grooming before the abuse has occurred, it is necessary to prove to the courts that the individual had *mens rea* (translated from Latin to “guilty mind”), which means the individual intended to commit a crime, and *actus reus* (translated from Latin to “guilty act”), which means the wrongful behaviours that encompass the physical elements of the crime. Intent is nearly impossible to prove with some sexual grooming behaviours before the abuse has taken place (Winters & Jeglic, 2022a).

Policymakers struggle to develop legislation that criminalizes online grooming without the intent to meet because it is difficult to determine the threshold of when a crime has been committed. Australian and Canadian legislation has been proposed as useful models as neither requires that an offender intends to meet the child (ICMEC, 2017).

In a 2017 report, *Online Grooming of Children for Sexual Purposes: Model Legislation & Global Review*, the International Centre for Missing & Exploited Children (ICMEC) identified five characteristics that online sexual grooming legislation should entail:

1. Exists with regard to the online grooming of children for sexual purposes.
2. Provides a definition of grooming including online grooming and utilizes computer-and internet-specific terminology.
3. Criminalizes online grooming, with the intent to meet the child offline.
4. Criminalizes online grooming, regardless of the intent to meet the child offline.
5. Criminalizes showing pornography to a child.

In their review of legislation around the world, the ICMEC found that out of 196 countries, only 24 (including Canada), met all of the criteria. Below, several of these countries are profiled as examples of model legislation.

Australia

In December 2007, the Australian government (New South Wales) legislated the anti-grooming law in their Crimes Amendment to the [Crimes Act 2007](#). The law sets the prohibition and the punishment level, referring to the victim's age – grooming a child under the age of fourteen leads to imprisonment of twelve years; grooming a child under the age of 16 leads to imprisonment of 10 years – and grooming for unlawful sexual activity. In the bill, grooming is described as any activity or conduct that may prepare and encourage a child into sexual activity with an adult (Ezoni, 2020).

The [Crimes Amendment \(Grooming\) Act 2014](#), which commenced in Victoria on April 9, 2014, introduced the offence of grooming for sexual conduct with a child under the age of 16

years. This offence targets predatory conduct designed to facilitate later sexual activity with a child. The [Victim's Charter Act 2006](#) was amended to expressly provide that a child and a family member of that child are victims of a grooming offence and are entitled to provide a victim impact statement to a court.

The New South Wales grooming offence is confined to circumstances in which an adult engages in conduct that exposes a child to indecent material or provides the child with an intoxicating substance with the intention of making it easier to procure the child for sexual activity. The Victorian offence is broader than this and prohibits an adult from engaging in any form of communication with the intention of facilitating sexual conduct. This is not limited to exposing the child to indecent material or providing them with an intoxicating substance and may include such acts as inappropriately giving them gifts or favours with the intention of engaging in later sexual activity (State of Victoria, 2022).

United Kingdom¹

Section 15 of the [Sex Offences Acts of 2003](#) states that any offender that tries to arrange a meeting with a minor for the purpose of sexually assaulting said minor could be charged a minimum term in prison of six months, and up to ten years in more extreme cases. The legal description of grooming is when the offender tries at least twice to arrange a meeting with a minor, provided that the offender is eighteen years of age or older. Moreover, the law refers to international offences as well, for situations where the offender is not located in the United Kingdom during the grooming process for cases that may occur on the internet or social media

¹ For the purposes of their report, the ICMEC identifies the United Kingdom as including England and Wales. Northern Ireland and Scotland each have legislation specific to sexual grooming of children and sexual communication with children and meet all of the criteria set out by the ICMEC.

via smartphones, chat rooms or any other communication tool (Ezioni, 2020). The UK legislation applies to offences committed against children under the age of 16.

United States

In the United States, sex crimes can be prosecuted at the federal or state level. At the federal level, sexual grooming behaviours may be able to be prosecuted under the Federal Enticement Statute, which is section 2422 of the US Criminal Code (Winters & Jeglic, 2022a). Article 2422(b) of the [*U.S. Criminal Code \(18 U.S. Code Title 18\)*](#) does not use the term online grooming, but defines that acts constituting online grooming (ICMEC, 2017).

In addition to the Federal Enticement Statute, approximately 42 US states have also developed their own anti-grooming legislation. Many specify that the enticement, solicitation, or luring must involve the use of an electronic device, computer, Internet, or text messaging, meaning that the law may not encompass in-person sexual grooming. Other states are vaguer in their language; some states use the word “attempt” when describing the sexual behaviour, suggesting that the abuse does not yet have to occur for a crime to be committed (e.g. Iowa) (Winters & Jeglic, 2022a). (see Kaylor et al. 2022 for a list of state grooming legislation). Some states, such as Washington, do not have legislation to address pre-offence behaviours at all, and thus, unless sexual abuse has occurred, the perpetrator cannot be charged (Sadler, 2018, as cited in Winters & Jeglic, 2022a).

A disturbing trend in the United States is the proliferation of so-called ‘anti-groomer’ laws, dubbed by opponents, including trans activists, as “Don’t say gay” bills –implemented in some states to supposedly protect parental rights with regards to their children’s education on matters of sex and gender identity. These bills are premised on an incorrect use of the term

‘grooming’, which, as we have discussed in the previous section of this report, refers to the behaviours of sexual predators; yet, under such legislation as [*Florida’s Parental Rights in Education*](#) bill and the [*North Carolina Parental Bill of Rights*](#), the term has been “weaponized”, inaccurately equating classroom discussions and materials related to sexuality and LGBTQ identity with efforts to condition children for sexual exploitation (Blad, 2022).

It has been argued that such legislation has led to a moral panic through the association of gay and transgender individuals, as well as their allies, with so-called “groomers” intent on coercing children into sex. The common rationale behind these discriminatory laws is that they supposedly protect children from groomers. The theory is that people who allow children to express their sexual or gender identity are enabling the sexual abuse of such children. Under this line of reasoning, parents and teachers who are allies of the LGBTQ+ community are all pedophiles or pedophile-enablers (Van Robays, 2022).

There is no evidence that members of the LGBTQ+ community molest or abuse children at higher rates than non-LGBTQ+ people. False accusations of grooming is used as a means to resist equal rights for LGBTQ+ people. Targeting anyone or any organization that supports gender affirming care or education about sexual identity is becoming a dangerous trend. The sad irony is that by failing to provide help and resources and sexuality education to all youth, including LGBTQ+ youth, who experience sexual violence at higher rates than non-LGBTQ+ youth, they are less- not more - protected from being abused (Blad, 2022; Van Robays, 2022).

Recommendations for Sexual Grooming Legislation

The ICMEC (2017) proposed several components of model online grooming legislation that

can also be applied to laws addressing in-person sexual grooming that broadly focuses on (1) definition, (2) offences, and (3) sanctions and sentencing:

(1) Definitions

Define what is meant by child/minor – The definition of a minor and age of consent varies between and among countries, and sometimes from state to state within a country. The ICMEC proposes that for online legislation, a child should be defined as “any person under the age of 18” (p.9).

Define/describe the act of grooming, including online grooming – Legislative provisions must incorporate terms that adequately address the various stages and techniques used during the grooming process to sexually abuse children while considering the significant physical and emotional harm that the child suffers as a result (ICMEC, 2017). All aspects of the legislation must be explicit and based upon observable characteristics, tactics, and behaviours of sexual grooming (Winters & Jeglic, 2022a).

(2) Offences

Incorporate grooming and online grooming offences into the penal code – Grooming is rarely explicitly legislated; instead, it is either criminal based upon case law or requires “reading between the lines” to make the sexual grooming behaviours fit the written legislation instead of the other way around (Winters & Jeglic, 2022a). Implementing legislation expressly criminalizing the grooming process is important as this process can lead to other offences such as rape, assault, molestation, CSA material, sexual degradation, and abduction. A clear legal definition with a specific provision for the offence of online grooming can help ensure effective

implementation of the legislation as well as prevent further exploitation of the child (ICMEC, 2017).

Criminalize the process of online grooming (and in-person grooming) – Until recently, sexual grooming has been considered to be part of the process of CSA instead of a stand-alone entity. This is also largely true of legislation, in which grooming is addressed as an element of another offence rather than as a standalone offence. The ICMEC (2017) advocates for making the sexual grooming behaviours themselves a crime regardless of whether contact sexual abuse or the transmission of child sexual exploitation material takes place. They further specify that online grooming should be grooming regardless of whether the intent was to meet the child and that showing pornography to a child should also be illegal.

Punish parents/legal guardians who participate in the grooming of a child under their care – This should include grooming by the parent or guardian of the child, as well as aiding and abetting the grooming acts of others by allowing or enabling access to their children. In some cases, parents may themselves be groomed, though this is more common in face-to-face grooming, and these cases should be differentiated from those involving parents who are complicit in the grooming of their own child (ICMEC, 2017).

Punish online grooming as a stand-alone offence – It is difficult to detect and identify sexual grooming behaviours because there is no standard legal definition, or even settled terminology, for grooming or online grooming. In order for the general public, parents and guardians, and law enforcement to detect grooming behaviours and effectively punish offenders, online grooming must be clearly defined and punishable as a standalone offence (ICMEC, 2017).

(3) Sanctions and Sentencing

Provide extraterritorial jurisdiction for sexual offences committed against children –

Extraterritorial jurisdiction offers a country a mechanism to hold its offenders accountable by providing the authority needed to prosecute its nationals for criminal acts committed beyond its borders. Dual criminality provisions, which require that a crime committed abroad must also be a crime in an offender's country of residence for the offender to be prosecuted in their home country, should be eliminated as they pose significant obstacles to the effectiveness of extraterritorial jurisdiction (ICMEC, 2017).

Children must not be held criminally liable for any involvement with online grooming

offenders - A child who is exploited in an online grooming situation is a victim (ICMEC, 2017).

Mental health and medical treatment and other services should be provided for child victims

- In addition to support services for the victim's family members, to assist them during the healing and recovery process. Following a grooming experience, whether online or offline, the child may suffer numerous negative effects; even in the absence of physical sexual abuse, the child may be traumatized and suffer long-lasting emotional damage caused by non-contact sexual abuse (ICMEC, 2017).

Protect child victims acting as witnesses in judicial proceedings –

Legislation should incorporate provisions that protect child victims serving as witnesses in judicial proceedings, establish guidelines for the presence of victim advocates in the courtroom, and permit closed-circuit testimony when necessary (ICMEC, 2017).

Establish minimum penalties for those who engage in grooming –

Minimum penalties may help deter potential offenders from committing a crime so as to avoid certain and often severe

punishment. In addition, minimum sentences may provide heavy penalties for serious and violent offenders while avoiding disparities in sentencing. Penalties must be implemented efficiently and consistently to ensure their effectiveness (ICMEC, 2017).

Enhance penalties for repeat offenders and for aggravating factors – Aggravated penalties for grooming should be included in sentencing guidelines for various factors, such as the age of the victim, age difference between the offender and victim, and the abuse of a position of authority, among other factors (ICMEC, 2017).

In addition to these guidelines, policies and laws for individuals and institutions who interact with minors must be strengthened in line with the current research and knowledge on CSA perpetration generally and sexual grooming specifically (Winters & Jeglic, 2022a).

Child Sexual Abuse and Sexual Misconduct Within the K-12 Education System

Shakeshaft (2004) used the term *educator sexual misconduct* to describe “any behavior of a sexual nature which may constitute professional misconduct.”² As this term does not accurately encompass all school employees, the term *school employee sexual misconduct* has been used more broadly to refer to a school employee who sexually abuses or is involved in misconduct with a child while caring for that child in a K-12 school setting (Henschel & Grant, 2019).

Educator or school employee sexual misconduct must be placed within the broader context of abuse by trusted professionals and community institutions that serve children.

² Henschel & Grant (2019) write that sexual misconduct, which includes both contact (e.g., sexual intercourse) and noncontact (e.g., showing sexual pictures) behaviours, is not necessarily against the law (i.e., misconduct with a student who is over the age of consent may not be illegal); however, these behaviours violate ethical codes and are prohibited by school policy.

Institutional Child Sexual Abuse

Gallagher (2000) defines institutional abuse as:

The sexual abuse of a child (under 18 years of age) by an adult who works with him or her. The perpetrator may be employed in a paid or voluntary capacity; in the public, voluntary or private sector; in a residential or non-residential setting; and may work either directly with children or be in an ancillary role (p.797).

Central to an understanding of institutional abuse is that child abuse involves the inappropriate use of power and authority, which has the potential to harm children's ongoing development and future well-being, regardless of the setting. Such acts may also include a failure to protect the child from harm or meet minimal standards of care, similar to established definitions of child neglect (Jaffe, Straatman, Harris, Georges, Vink, & Reif, 2013). Jaffe et al. (2013) note that abuse by a teacher may represent one of the most damaging forms of abuse because of the importance society places on education and the crucial role of teachers as educators, mentors, and role models for students (ibid).

Shakeshaft (2013) categorized perpetrators into two main types: fixated abusers and opportunistic abusers; these mostly differentiate based on personality traits and grooming techniques used. Fixated abusers are most commonly males teaching in elementary schools, who are perceived as wonderful teachers by students, faculty, and parents. They prey on vulnerable students by initially providing them with additional attention and after-school help. Opportunistic abusers are individuals who take advantage of a situation but are not exclusively attracted to children or adolescents. These abusers operate on a teenage level of maturity and have difficulties with judgement and boundaries. These abusers are often found spending time with groups of students, trying to fit in with them to be seen as "cool." These are teachers who

make inappropriate sexual comments regarding students, and who inquire extensively into their personal lives as part of the grooming pattern.

Fixated and opportunistic abusers are primarily male offenders, whereas female perpetrators tend to be classified as “romantic lovers.” Research has shown that female teachers who committed sexual misconduct claim romantic intentions and do not typically consider their actions to be inappropriate, as they believe their behaviour constitutes a consensual love affair (Sandler & Freeman, 2007, as cited in Jaffe et al., 2013).

Jaffe et al (2013) note that the overall pattern of abuse of teacher sexual misconduct is interesting because it defies the stereotype that sexual abuse is perpetrated by pedophiles interested in young children. Their research shows that the overwhelming pattern appears to be the abuse of vulnerable teenage girls by male teachers who employ extensive grooming behaviours that include paying special attention to victims and building relationships with them through technology.

This pattern raises the importance of setting and communicating professional boundaries between teachers and students and is in line with other research that shows that most perpetrators of non-violent crimes against children and adolescents already know their victims prior to the offence and use technology as an extension of other abusive behaviours. Henschel and Grant (2019) write that there is no known research on the role of technology in school employee sexual misconduct cases, or the nature or frequency of its use in this context; their own research found that text messaging and direct messaging has been implicated in desensitizing minors to sexual content, as conversations become flirtatious and include sexual content and jokes (Winters & Jeglic, 2022a).

The term “institutional grooming” was first introduced in the literature by McAlinden in 2006, who used the term to describe the “special features of the institutional environment to facilitate abuse and prevent disclosure by children and other professionals” (McAlindon, 2006, as cited in Winters & Jeglic, 2022a). According to McAlindon (2012), there are five main characteristics of the institutional environment that perpetrators utilize in the institutional sexual grooming process: trust, opportunity, anonymity, secrecy, and power.

Trust – McAlindon likens institutional trust of the perpetrator to the trusting relationship they build with the potential victim, their family, and the community. Their position of trust within the organization further reinforces their appearance of respectability, which is key as the grooming begins so that any behaviours that may arouse suspicion will be explained away, and they avoid detection.

Opportunity – Those who wish to abuse children take advantage of opportunities to manipulate organizations. This can be due to a weak or hierarchical organizational culture in which those in positions of authority can abuse their power unchecked. Further, those who want to abuse minors will seek out and take advantage of organizations that either lack policies and procedures to prevent CSA or who fail to enforce them (Arnold & Jeglic, n.d., as cited in Winters & Jeglic, 2022a).

Anonymity – As grooming is considered a deceptive process, the individual who perpetrates sexual abuse within an institutional context can achieve anonymity as they can take on a new persona reflective of their institutional role, thus concealing their deviant intentions.

Secrecy – Results of child abuse inquiries show that childcare institutions tend to be “self-protective, secretive and closed by nature” (McAlindon, 2010, p.30, as cited in Winters &

Jeglic, 2022a). It is this secrecy that has allowed those who offend within institutional contexts to continue their abuse. Within the context of educator sexual misconduct, a practice referred to as “passing the trash” enables teachers who sexually abuse students to pursue another job with no record of their sexual misconduct and is common practice for K-12 school district administrators who fear legal liability and tarnished reputations (Grant, Wilkerson, & Henschel, 2019). When charges of sexual abuse cannot be clearly established, school officials sometimes conclude that there was an “improper relationship” between the educator and student. However, this important information may not be passed on or may be intentionally withheld (Knoll, 2010).

Power – McAlindon (2012) notes that individuals in institutional roles that give them unchecked power can help to create a system in which abuse fails to be disclosed. This can be because they control the organizational culture, or there are no clear reporting lines such that even if abuse is suspected, there is no one but the abuser to report it to. What is particularly disturbing is that some school reporting procedures require that the suspected abuser be confronted first to address the issue.

There is a large body of research on the adverse effects of childhood sexual abuse, yet there has been little focus on the long-term results of sexual abuse by educators (Knoll, 2010). Institutional sexual abuse has lasting negative impacts not only on the victims, but also on communities and the institution itself. In addition to the financial liability incurred by the institutions for their failure to protect children, there is also damage to their public reputation and the public’s trust in these organizations (Winters & Jeglic, 2022a).

Professional Perpetrators

Individuals who commit sexual abuse in the capacity of a position of trust have been referred to as “professional perpetrators” (Moulden, Firestone, Kingston, & Wexler, 2010), a term coined by Sullivan and Beech (2002) to describe those individuals who use the organizations in which they work to target and abuse children. Compared to the substantive body of research that has been conducted on sexual perpetrators inside the family unit, and on sexual perpetrators more generally, little attention has focused on the professional perpetrator.

Moulden et al. (2010) highlight some of the common characteristics of professional perpetrators that have been described in the literature: adult, single, male, often university educated, minimal substance abuse issues, generally prosocial attitudes, no prior sexual or criminal offences, and few psychological deficits. The offence pathway of the professional perpetrator has been described as being characteristic of explicit planning (e.g., grooming) rather than opportunistic in nature. A review of studies comparing the characteristics of professional perpetrators with extrafamilial and intrafamilial abusers found that many of the traits listed above were more likely to be found in professional perpetrators (Winters & Jeglic, 2022a).

The self-regulation (SR) model of the offence process was developed specifically for sexual offenders and designed to account for the diversity of sexual offending behaviour. It is based on self-regulation theory and emphasizes the internal and external processes that allow individuals to engage in goal-directed behaviour (Moulden et al., 2010). Particular importance is placed on the individual’s goals with respect to sexual offending (approach-motivated versus avoidance-motivated) and the manner in which the individual attempts to achieve this goal

(i.e., self-regulatory strategies). The combination of goals and strategies culminate in one of four pathways to sexual offending that vary across type of sexual offender (ibid).

One pathway within this scheme, the approach-explicit pathway, is characterized by intact self-regulation, antisocial goals, and explicit offence planning. The offence process described in research is characteristic of the professional perpetrator in general and of teacher sexual offenders in particular, and is similar to the approach-explicit pathway to sexual offending, as described in the SR model of the offence process. Offenders' abuse of their position of authority suggests they hold approach-motivated goals to offending; the complex grooming strategies indicate intact self-regulatory skills indicative of this pathway (Moulden et al, 2010).

Researchers have described sexual offenders in positions of trust as manipulative and coercive as opposed to violent or directive; this was true of Moulden et al.'s (2010) study of sexual offending committed by Canadian teachers, where most offenders used their authority to initiate sexual contact with victims or befriended students to facilitate offending and reduce the likelihood of disclosure.

Research on School Employee Sexual Misconduct and the Grooming Process

In the United States, there is little national empirical data on educator sexual misconduct; the breadth and scope of the issue remains understudied, but existing studies and media reports suggest that educator misconduct is a widespread problem (Jeglic et al., 2022). In 2004, the Department of Education released an extensive report by Charol Shakeshaft (known as the Shakeshaft Report) which detailed sexual misconduct in school settings (Shakeshaft, 2004). Since then, the topic has not attracted sufficient attention from researchers. What is

currently known about educator sexual misconduct is either based on media reports, officially documented allegations, or self-report surveys of students; thus, current estimates likely underrepresent the true scope of the problem (Jeglic et al., 2022). It is believed that educator sexual misconduct may be greatly underestimated in general due to measurement difficulties and the high number of cases that go unreported or unrecorded (Abboud et al., 2020).

Existing data does reveal some trends: female students seem to be targeted more often than male students; the majority of those engaging in sexual misconduct in educational settings are academic teachers, followed by coaches and then other educators and other school personnel; abusers tend to be male (Jeglic et al., 2022). The most commonly reported abuse dynamic within educational institutions is a male educator and a female victim (Jeglic et al., 2022). Educator sexual misconduct can have lasting negative impacts on students – academically, developmentally, physically, and emotionally in both the short- and long-term (see Jeglic, et al., 2022).

It is believed that many sexually abusive educators use sexual grooming tactics and behaviours in the perpetration of the abuse (Jeglic et al., 2022). In a 2018 C3P study, sexual grooming was found to be a common technique used by male and female educators (C3P, 2019). As has been highlighted in the sexual grooming literature (see Winters et al., 2020 for a review), many of those who engage in child sexual grooming use their likeability and position to gain the trust of the child, but also of the family, community, and institution so that when and if abuse is disclosed, it is often overlooked or not believed. More research is needed; more awareness and education about the nature of sexual grooming and how the behaviours and

tactics may present within educational institutions may be warranted for both staff and students (Jeglic et al., 2022).

There is little in the existing research that identifies and describes the school culture, patterns, and conditions in which educator sexual misconduct occurs; because no one has systematically documented the school culture and the behaviours and patterns of adults who sexually abuse children in schools, school professionals fail to understand what patterns and behaviours should trigger concern, supervision, investigation, and/or reporting. Stopping sexual misconduct directed toward students means understanding the grooming process that adults use to prepare students to be abused so that they do not tell, do not fight, and acquiesce. Grooming has the purpose of gaining student trust, as well as the trust of parents and colleagues (Shakeshaft, Parry, Chong, Saima, & Lindh, 2022). The shared knowledge of educators about the etiology of sexual abuse of students by school employees – what to look for, how to respond, and what actions might reduce risk – is simply inadequate to the scope of the harm (Ibid).

Shakeshaft et al. (2022) outline the grooming process within the context of school employee sexual misconduct. They write that grooming behaviours and patterns are red flags, signaling that something is not quite right and that attention and monitoring, and supervision are needed. Most employee to student sexual misconduct in educational organizations involves a pattern of “preparing” the student for the misconduct so that the student trusts the employee. The authors note that the goal of grooming is compliance from the child, often misinterpreted as consent. Children aren’t legally or emotionally able to consent – this is not an equal interaction – therefore compliance is used by the offender as a stand-in for consent,

drawing the child into a belief system that the child has control or power when that is not the case. Offenders must not only gain the trust of the victim, but also that of the community in which he or she works as well as the environment of the child (Shakeshaft et al., 2022).

Grooming consists of actions that bond the target to the offender; as the child is progressively drawn-in to this “special” bond, the offender assures the child that the relationship is “normal”, and the more an offender can minimize the nature of the offence and shape it into an acceptable relationship, the more the student is led to believe that what is happening is acceptable (Shakeshaft et al., 2022).

One of the central ethical themes of educator sexual abuse is the violation of professional boundaries (Knoll, 2010). Before sexual misconduct occurs, boundaries have to be crossed; boundary violations occur in public, in front of others. Bonding boundary crossing is what most bystanders see and it rarely presents as sexual abuse (Shakeshaft et al., 2022). In many cases where boundaries are crossed and grooming occurs, students, parents, and other educators and administrators mistook these actions that crossed professional and appropriate boundaries as “prosocial behaviour” (Tanner & Brake, 2013, as cited in Shakeshaft et al., 2022).

Typically, prosocial behaviour, such as compliments and direct attention in the classroom, are seen as positive educator behaviours when attempting to mentor students or forge beneficial educator-student relationships for the purpose of improving child learning (Shakeshaft et al., 2022). But the difference between prosocial and bonding grooming behaviours is the focus of this behaviour – behaviours directed toward all or most students vs. a specific student. Another way that victims are groomed is to increase their reliance on the school employee – gifts and money are also used in the reliance process, offering students

things they do not have. The adult uses this grooming strategy as a way to tie the student to him or her (Shakeshaft et al., 2022).

Predators work to normalize boundary crossing behaviour. They are aided in this by schools that (1) do not teach students or other adults about what is acceptable adult behaviour and that (2) fail to train students and adult bystanders how and when to report. Boundary violations in the public eye are often defined by their subtlety – the goal of which is to progressively make children feel that these violations are “normal”. Child targets often do not know how to code these actions, having not been taught about what is acceptable behaviour from a school employee. As a result, they do not report these behaviours to authority figures who could intervene to interrupt the grooming process. Sometimes the normalcy of boundary crossing blinds bystander employees to the reality of the situation (Shakeshaft et al., 2022).

Normalizing also occurs when the adult behaves the same way as the student, acting as a peer. Touching students, such as hugging, is often normalized, with teachers portraying this behaviour as “letting them know we care”, a rationalization that is accepted by students, parents, and colleagues. Students make sense of these boundary crossings and potentially illegal behaviour from their own frame of reference. They do this because the adults in the school have not taught them what is appropriate or inappropriate behaviour, the policies (if they exist) have not been explained, and the culture of the school encourages everyone to look the other way, rather than teaching what the appropriate teacher-student boundaries are and what to do if they see them being violated (Shakeshaft et al., 2022).

Grooming can occur in public spaces and isolated environments. Isolation is not only a tactic to keep actions hidden, but also a strategy to remove the target from friends and family,

leaving the employee abuser as the only person the student can confide in. Gift giving is used to gain trust and serves as both a bonding and a reliance function. Parents and colleagues may also be actively groomed by abusers. Abusers may use traps and threats to prevent disclosure (Shakeshaft et al, 2022).

Prevention of school employee sexual misconduct requires that bystanders (including school staff, parents, other students) understand the behaviours by abusers that would indicate that a student is being targeted for sexual misconduct. Grooming behaviours should signal boundary crossing and possible sexual misconduct by an employee (Shakeshaft et al., 2022).

Child Sexual Abuse and Sexual Misconduct by School Personnel in Canada

Professional misconduct is the term used in education to refer to acts and situations that may result in a professional sanction for the certified teacher. Professional misconduct includes when a student is sexually abused by a teacher. While the act which constitutes professional misconduct may or may not also be an offence under the *Criminal Code*, the sexual abuse of a child/youth and/or student is an act that can result in professional sanction (C3P, 2018). Every territory/province's teacher organization has their own definition of what constitutes professional sexual misconduct (C3P, 2019).

In Ontario, the Ontario College of Teachers defines what constitutes professional misconduct, including that of a sexual nature, and may include any inappropriate relationship with a student, student-teacher boundary violations, and grooming behaviour (Ontario College of Teachers, 2002, as cited in C3P, 2019). In British Columbia, professional misconduct occurs when a teacher acts contrary to the *Standards for the Education, Competence and Professional*

Conduct of Educators in BC established by the Ministry of Education. What qualifies as professional misconduct of a sexual nature involving children for Saskatchewan teachers can be found in the Saskatchewan Professional Teachers Regulatory Board (SPRTB's) *Regulatory Bylaws* (2.01) (C3P, 2019).

Teachers found guilty of professional misconduct of a sexual nature face a range of possible punitive actions. At one end of the disciplinary spectrum an offender may receive a simple reprimand, and at the other is the complete and permanent revocation/cancellation of one's teaching certificate of qualification. In between (or often in addition to) these possibilities, one may receive as punishment a monetary fine, suspension, professional counseling, classes on appropriate boundaries, and/or a psychiatric assessment (C3P, 2019).

Stop Educator-Child Exploitation (SECE) is a grassroots organization composed of survivors of sexual abuse and violence at the hands of teachers in Canadian schools. Members, who come from across Canada, advocate for national leadership in combating sexual abuse in schools. In their recent report, *Educator Sexual Misconduct and Assault: A Crisis in the Canadian School System in Need of Comprehensive Reform*, SECE notes that the current state of policies, procedures, and institutional structures do little to protect children from sexual misconduct or abuse by teachers and/or school staff; they argue that federal and provincial leadership is needed to drive comprehensive reform (SECE, 2022).

While there are many laws that exist at the provincial and national level designed to protect children, there is no clear focus on what should happen in schools (SECE, 2022). In 2015, the United States passed a national law, [Every Student Succeeds Act](#) (ESSA), which is designed to prevent perpetrators from quietly leaving schools; states are mandated to collect

offender data into a national database, and authorities are increasingly taking legal action against principals and school administrators who fail to report and/or protect children.

Surprisingly, there has been little discussion and debate about the problem of educator sexual misconduct or abuse in Canadian schools.

Pursuant to the *Canadian Constitution*, provinces and territories are legally responsible for education systems. Via statute, school boards, teachers' colleges, registrar functions and provincial committees have been created to carry out these responsibilities on their behalf. It is ultimately the provinces that are responsible to ensure that children are safe in schools (SECE, 2022). Recent court decisions have recognized that school boards have vicarious liability for harms suffered by victims of educator sexual misconduct and abuse; this reinforces this responsibility.

In addition, two specific duties, which flow from common law, exist to protect children: the duty to protect, and standards of care. In practice, these legal obligations are frequently trumped by much more 'visible' disciplinary policies, which in some cases are encoded in collective bargaining agreements. Many of the systems in place for detection and correction of teacher sexual abuse/misconduct are insular and rely on teachers governing themselves. They are marked by "conflicts of interests, bias and lack of specific expertise and diversity of perspectives" (SECE, 2022, p.5).

There is no data on the frequency of teacher-on-student abuse, no national systematic collection of data in Canada, and no national database that lists teachers fired or disciplined. When trying to understand the scope of this issue, researchers must resort to requesting data

from individual school boards and teachers' colleges (which may or may not collect and/or share data in a systematic fashion), and court cases from media reports (SECE, 2022).

The number of abuse cases is further understated because of low reporting rates. Schools and school boards frequently have no visible policy regarding reporting abuse to guide students, parents, and teachers. Teachers and school staff often do not understand their legal responsibility to report. Fear of reprisal is also a major deterrent to reporting suspected abuse. School staff and parents often lack awareness of the signs of misconduct/abuse, and initial warning signs that, if recognized, could lead to prevention or disruption of abuse are not noticed or understood. There is little or no training on how to recognize potential signs of abuse or teacher misconduct (SECE, 2022).

Many victims who have been groomed by skillful serial abusers are too uninformed, afraid or confused to report until years after their experiences. When no abuse cases are ever reported, that does not mean that there have been no cases of abuse. It can often mean that predators have successfully evaded detection mostly due to weak institutional structures and processes (SECE, 2022).

There are many actors who have interests in this issue, but the number of organizations involved has led to confusion and lack of clarity. Existing prevention programs are difficult to assess because of disaggregated school systems in each province and territory; typically, each entity has its own policies and approaches, many of which are not clearly identifiable or accessible to the public. Provinces, schools, and unions often have different codes of conduct, which can cause confusion; furthermore, few deal directly with the issue of teacher-on-student sexual misconduct/assault. Not only do most codes not have proper reporting requirements,

many union codes order their members to report any complaints regarding a colleague's behaviour to the offender first (SECE, 2022).

In most provinces, it is not clear where to report cases of suspected abuse and what process will be followed once cases are reported. Most cases are reported to school principals and then are initially investigated by individual schools. Sometimes, cases are referred out to other bodies or committees, but typically the criteria for when and how this occurs is not evident in provincial policies. There is evidence from recent media reports to suggest that cases never go beyond the school system- this is seen as the weakest part of the current system, and is largely due to the fact that the current systems in place to deal with teacher misconduct were built for routine discipline issues such as tardiness. These processes are not effective for serious and potentially criminal cases of teacher sexual misconduct/assault (SECE, 2022).

Principals and school staff are unqualified and untrained, and lack the competence to conduct fair, impartial and procedurally fair investigations, and they can easily compromise evidence. Sexual predators are often very effective in grooming colleagues to see them as incapable of such abuse; principals often act to protect their school's reputation over the welfare of children being victimized. Police have a high threshold for action. They can respond to criminal activity but often not to anything below that threshold. Teacher-on-student sexual misconduct/assault is often a gradual process that involves grooming and begins with boundary violations observable to those with appropriate training (SENE, 2022).

Many Canadian teachers' unions have a great deal of power, holding authority to discipline teachers, to remove their membership and therefore their ability to teach in any given province or territory, and to negotiate important elements of discipline such as the right

to grieve and to scrub personnel files of discipline records. They also owe a duty of protection to their fee-paying members (SENE, 2022).

Teacher's unions also collectively bargain on behalf of their members, which can give them leverage over provincial governments – while there is no evidence of this leverage being exercised, it is an obvious structural defect that needs to be addressed. For example, scrubbing personnel files after three years is a common practice that is encoded in collective bargaining agreements. When it comes to child protection, this is a problem (SENE, 2022).

In some provinces and territories, unions operate either a parallel process, or the only process, to discipline teachers. These union-led disciplinary processes usually include referring cases to the province for removing teaching licenses; however, in some cases, the unions have overall discretion over whether to refer cases to provinces for license revocation (SENE, 2022).

There are no fully independent bodies anywhere in Canada where victims, parents, school staff or members of the public can report cases of suspected teacher-on-student sexual misconduct or abuse and seek objective advice and support. A few provinces have separate and quasi-independent bodies; while these provide some degree of separation of key functions from the school system and unions, such as the ability to conduct investigations and remove teaching licenses, these bodies still lack the independence and authority to adequately protect children from teacher sexual assault and misconduct (SENE, 2022).

Most decision-making committees are made up by a majority of teachers, who are unionized, leading to the problem of conflicting loyalties and a lack of diversity of perspectives and expertise. The systems in place are designed to focus on the teachers, their rights and processes to discipline them if required. There is little or no mention of the child victims of

teacher-on-student sexual misconduct/assault. The needs of victims are almost entirely absent (SENE, 2022).

In Canada, education falls under provincial and territorial jurisdiction. Currently, most professional bodies responsible for overseeing discipline of school personnel are not required to make outcomes of investigations involving professional misconduct public. This heightens the potential for future risk for children, leaves gaps in knowledge about offending personnel behaviours, and creates barriers to research. As a result, past research has been almost entirely reliant on media reports or court decisions (C3P, 2022).

Despite the obvious importance of understanding the issue, there is very little information on a national scale about the nature and extent of sexual abuse and boundary transgressions by school personnel in Canada. This can be attributed in part to the lack of availability of teacher discipline records, inconsistent reporting standards, and agreed-upon definitions across jurisdictions, as well as the lack of a centralized registry of school personnel who commit or are accused of committing sexual abuse and boundary transgressions against children (Jeglic et al., 2022).

A recent updated report by the C3P, *Child Sexual Abuse and Victimization by K-12 School Personnel in Canada, Second Edition (2017-2022)*, is the only known publicly available Canada-wide snapshot of the characteristics of sexual offending in schools, providing information about the student victims and offenders, granular details on offending patterns as well as important contextual information about the use of online platforms, as well as details about professional and criminal outcomes for the school personnel involved (C3P, 2022).

The C3P's 2022 report is based on research collected from readily available public records – disciplinary records, court records, and media reports – related to teacher discipline.

Among some of their findings are the following:

- 252 school personnel committed or were accused of committing offences of a sexual nature against 548 children over a five-year span; an additional 38 personnel were criminally charged for child pornography-related offences during the same time frame of 2017-2021.
 - 71% of victims were female
 - 84.5% of offenders were male
 - The primary role of 86.2% of offenders was teacher
 - 7% of the offences involved physical contact. 84.5% of recorded physical contact offences by male offenders were committed against female victims and 77% of recorded non-physical contact offences by male offenders were committed against female victims.
 - 167 school personnel had criminal charges laid against them, mainly sexual assault, sexual interference, and sexual exploitation.
 - When the details of professional sanctions imposed on a teacher were known, 51% of offenders saw their teaching certificate revoked, cancelled, or never to be renewed.

Data sources used in this study varied by jurisdiction based on what information was publicly available. Data for Newfoundland and Labrador was based solely on media cases, as no disciplinary records or legal cases were available to the researchers.

Many jurisdictions in Canada are in talks on how best to address the professional misconduct of educators and school personnel. On September 1, Quebec Education Minister Bernard Drainville presented the findings of a report he requested earlier this year, after multiple allegations of sexual misconduct and inappropriate behaviour were made public. One of the gaps highlighted in the report is that the criminal records of school service centre employees aren't generally shared between organizations because managers are concerned about defamation lawsuits and union grievances. Currently, an employee of a school service centre or school board undergoes a police background check only once, when they are first hired. If they are found guilty of offences after that, it is up to the employee to alert education officials (CBC News, 2023).

Most recently, in response to the Hidden Valley Elementary School Independent Review Report³, the Government of Yukon employed a whole-of-government approach to implement the [Safer Schools Action Plan](#), focused on improving the safety and wellbeing of students and government's ability to respond effectively to critical or serious incidents. The action plan contains 23 action items linked to 7 recommendations made in the independent review report, that emphasize creating safe and caring environments, transparency, accountability, victim-centered approaches, collaboration and reconciliation in education settings.

³ This report outlines the interagency response to the 2019 allegation that an educational assistant sexually abused a student at Hidden Valley Elementary School.

Legislation Concerning the Professional Conduct of Teachers and Disciplinary Action

In the past year, three provinces have enacted or amended legislation to specifically address the professional conduct of teachers and disciplinary action: Alberta, Manitoba, and Ontario. Each piece of legislation is discussed in detail below.

Alberta

On January 1, 2023, the [Alberta Teaching Profession Commission](#) opened and the appointed Commissioner now provides oversight for all teacher and teacher leader professional discipline matters in the province. The same professional discipline process now applies equally to all Alberta certified teachers and teacher leaders regardless of their membership in the Alberta Teachers' Association, the College of Alberta School Superintendents and their employing school or school authority. The new discipline model brings Alberta in line with comparable provinces and other regulated professions, where an arm's length organization oversees disciplinary matters for all members of a regulated profession, and was introduced to further protect students and enhance accountability and transparency within the teaching profession.

Created under the [Education \(Reforming Teacher Profession Discipline\) Amendment Act](#), which was passed in May 2022, the Alberta Teaching Profession Commission oversees disciplinary matters for teachers, much like professional organizations do for a variety of occupations in Alberta, including nurses, doctors and social workers. The commission consists of a commissioner and a team of investigators, professional assurance officers, and administrative professionals.

A newly developed single [Code of Professional Conduct](#) now also applies to all Alberta certified teachers and teacher leaders regardless of where they are employed, their membership in an organization, or if they have left the profession. Updates to the [Professional Practice Standards](#) require professional learning on the new Code of Professional Conduct for all teaching professions.

School authorities intending to file a complaint and Duty to Report to the Registrar, or anyone wishing to make a conduct or competency complaint against an Alberta certified teacher or teacher leader, can learn further details about making a complaint at [Teaching – Conduct and competency complaints](#).

Manitoba

The Manitoba government introduced Bill 35 – [The Education Administration Amendment Act \(Teacher Certification and Professional Conduct\)](#) on March 13, 2023 and it received royal assent on May 30 of this year. The new legislation redefines teacher misconduct, creates a teacher registry and outlines the structure, composition, and processes to investigate and adjudicate cases of misconduct and competency. The government’s intent is to protect the safety of Manitoba students by:

- Implementing a transparent and open process to address and prevent teacher misconduct
- Establishing an independent commissioner to investigate and respond to complaints and reports of teacher misconduct, and
- Establishing a registry to provide employers and the public with information on the status of a teacher’s certificate.

The Act states that if a disciplinary matter is not resolved by no further action being taken

or through a consent resolution agreement, a panel is to be established to hear the matter. The Minister will appoint a roster of persons who may act as members of hearing panels, composed of teachers, individuals nominated by the Manitoba School Boards Association, and public representatives who are not and have never been teachers. An amendment now allows for a teacher appearing before the disciplinary panel to be represented by a lawyer or a union representative. Information included in the public registry must adhere to principles outlined in the Personal Health Information Act (PHIA) regarding the sharing of personal health information unless the public interest substantially outweighs the teacher's privacy interests.

Ontario

On June 8, 2023, Ontario passed Bill 98, bringing into force the [Better Schools and Student Outcomes Act, 2023](#). The Act makes amendments to the *Education Act, Ontario College of Teachers Act, 1996* and *Early Childhood Educators Act, 2007*, and introduces changes to the complaints and discipline procedures for regulated individuals in the education sector, including school board trustees, teachers and early childhood educators.

The Act overhauls the process for reviewing alleged misconduct by school board trustees, placing power over investigations, determinations of misconduct and the imposition of sanctions with an integrity commissioner, rather than the boards themselves. The Act introduces several other new elements, including:

- A 60-day time limit for complaints
- The discretion not to commence an investigation into a complaint that is in bad faith, frivolous or vexatious.
- Expanded investigatory powers to compel the disclosure of documents and summon witnesses.
- A broader list of available sanctions for board members who breach the code of conduct.

- A right to appeal to a panel of integrity commissioners.

The new process is prospective, not retrospective. Alleged breaches of the school board's code of conduct by a trustee that have been brought to the attention of the school board prior to the Act coming into force, and for which the board has not yet made a determination, continue under the previous process. Another major area of change to the Education Act implemented by the new Act is increased powers to the Ontario government, including the Minister of Education, with respect to school board activities.

The Act amends the complaints procedures that apply with respect to teachers and early childhood educators under the *Ontario College of Teachers Act, 1996* and *Early Childhood Educators Act, 2007*. These amendments include the following:

- Expanding the available remedies to include remedial training or education.
- Removing the right to a hearing where a complaint is filed in respect of conduct that has resulted in a conviction under the *Criminal Code*.
- Expanding eligibility for a funding order for the [Therapy and Counselling Program](#) in sexual abuse cases by removing the statutory precondition that required the child complainant to have been supervised by the member. For early childhood educators only, this condition has been replaced with a requirement that the member's practice facilitated the relationship between the child and the member or member's access to the child.

The Act also reinforces employers' reporting obligations to the [Ontario College of Teachers](#) where an employee teacher has been disciplined for professional misconduct, charged with specified offences under the Criminal Code, or engaged in other conduct that should be reviewed by the College, including by making the failure to report an offence punishable by a fine of up to \$25,000.

The new legislation enhances the Ontario College of Teachers' ability to serve its student safety mandate through streamlined investigation and discipline tools. New efficiencies in the College's legislation include:

- Granting the Investigation Committee the authority to require members to complete remedial training or education.
- Enabling the Discipline Committee to revoke a member's teaching certificate without a hearing if the member has been found guilty of a criminal sexual offence for which revocation is mandatory.
- Increasing the fine mechanism for employers who fail to provide additional information to the College in a timely manner after making an initial report about a member.
- Formalizing that the Registrar, rather than the employer, becomes the complainant when an employer files a report about a member.
- Ensuring that a member whose certificate has been suspended or revoked must successfully complete the [Sexual Abuse Prevention Program](#)⁴ before a suspension is lifted or the member is reinstated.
- Enabling the Investigation Committee to refer a matter involving a criminal conviction directly to the Discipline Committee.
- Clarifying that a former member can only apply for reinstatement five years from the date of retroactive revocation in cases of professional misconduct related to sexual abuse of a student or child pornography.
- Ensuring that an order to revoke a certificate for any reason applies immediately, despite any appeal.

Publication of Teacher Discipline

The majority of provinces and territories in Canada do not make professional disciplinary records or information related to hearings available to the public. Only five provinces make records on teacher discipline available to the public in some capacity: Alberta,

⁴ In 2021, the OCT launched a new partnership with the C3P to develop a new sexual abuse prevention program for Ontario Certified Teachers. The mandatory online program, legislated by the Government of Ontario, launched on January 1, 2022. By providing educators with an updated understanding of professional boundaries, societal standards, and potential warning signs, as well as College resources and advisories, they will be better equipped to identify and report situations where a student may be at risk of harm. All Ontario Certified Teachers were required to successfully complete this one-time, online program by August 31, 2022, while new and returning applicants must pass it to be eligible for certification by the College. Completion of the program will be noted on a teacher's Certificate of Qualification and the College's public registrar (Ontario College of Teachers, 2021).

British Columbia, New Brunswick, Ontario, and Saskatchewan, with Manitoba's new registry forthcoming, once its new *Education Administration Amendment Act* comes into force.

Alberta

Since September 2022, the online [Teacher and Teacher Leader Registry](#) has been publicly accessible and shares the professional standing of Alberta certified teachers and teacher leaders who currently hold, or once held a certificate. Effective January 1, 2023, this registry also now includes all hearing and appeal committee decisions, minister's decisions, and consent resolution agreements. These will be posted in accordance with the *Education Act* and once judicial review periods have passed.

On September 1, 2022, the *Education Act* also introduced a new requirement for employing school authorities to obtain a criminal record check and vulnerable sector check when hiring a teacher or teacher leader, and again every five years while the teacher or teacher leader remains employed by a school authority. This requirement also pertains to early childhood services operators established under the *Education Act*.

Under the *Education Act*, there is now an expedited certificate cancellation process that applies to situations where a teacher or teacher leader is convicted of a serious indictable offence under the Criminal Code. This expedited process permits the Minister an alternate option to cancel a certificate instead of having to go to a hearing to consider cancellation of a certificate.

British Columbia

The [British Columbia Commissioner for Teacher Regulation](#) (BCCTR) is an independent statutory decision maker who is appointed for a five-year term under the [Teachers Act](#). It is the

Commissioner's responsibility to oversee the [discipline process](#) for certified educators in B.C. and helps enforce the [standards for educators](#). The Commissioner reviews all complaints from the public and reports from teachers, schools and school districts about teacher conduct or competence. The Commissioner can investigate, close a matter by not taking further action, offer a consent resolution agreement (CRA), or order a hearing and appoint a hearing panel if the teacher declines the offer for a CRA.

The BCCTR manages two public databases in which summaries of disciplinary decisions are made known to the public: a [discipline database](#) as well as an [online registry](#). The online registry provides information about current certificate holders and holders of a letter of permission, including the status of their teaching certificate or letter of permission, and records of disciplinary action. In general, the Discipline Database publishes two types of decisions (unless publicizing the case would cause hardship to the person who was harmed by the teacher): hearing decisions and consent resolution agreements (CRA). The CRA process is meant to avoid a citation and hearing, described as a voluntary process resulting in a published written agreement including information about what was decided and how it affects a teacher's certificate. The CRA process is the more common approach to resolving disciplinary matters. In comparison, a hearing is described as a process similar to that of a court proceeding, where evidence and testimony are heard (C3P, 2022).

New Brunswick

In July of 2021, the government of New Brunswick introduced the *Education Act* which included provisions for the creation of a [Registry of Suspended and Revoked New Brunswick Teachers' Certificates](#). This registry includes the teacher's name, registration number assigned

to the teacher's certificate, as well as the action taken against the teacher by the registrar with reasons. This registry is not retrospective; only suspensions and revocations related to misconduct occurring after July 1, 2021 are entered into the registry (C3P, 2022).

Ontario

The Ontario College of Teachers (OCT) proactively discloses teacher misconduct in three main ways: a [public registry](#), an archive of [discipline records](#), and a [hearing schedule](#). The OCT public registry returns results for individuals certified with the OCT. Information such as qualifications, status of certification, and discipline decisions when applicable is available for all certified teachers. Discipline committee decisions made by the OCT are published to an archive when a member is found guilty of professional misconduct or incompetent by a panel of the College's Discipline Committee. OCT disciplinary decisions are also published on Canadian Legal Information Institute (CanLII). Additionally, hearing notices can be accessed on both a public hearing schedule and registry (C3P, 2022).

Saskatchewan

The [Saskatchewan Professional Teachers Regulatory Board](#) (SPTRB) began operation in 2015. They are responsible for establishing and administering the [professional standards of conduct and competence](#) for teachers in Saskatchewan. The SPTRB handles the [complaint management process](#); they publicly [disclose](#) the notice and schedule of disciplinary hearings; and they publish the outcomes of the Consensual Complaint Resolution Agreements, which are processes wherein a teacher has admitted to misconduct or incompetence, as well as Discipline Committee Decisions. The latter are the SPTRB's most formal process for dealing with misconduct, structured in a similar way to a court proceeding. SPTRB sometimes publishes

Cessation Agreements, which are described as an alternative process for temporary suspensions. The SPTRB also operates a [public registry](#) of names and certificate status of teachers registered for the current school year (C3P, 2022).

Conclusion

This report has explored school employee/personnel sexual misconduct within the context of child sexual abuse and the sexual grooming process, as well as child sexual abuse committed by trusted professionals and community institutions that serve children. An examination of sexual grooming legislation at the Canadian and international levels, as well as policies and practices that address professional and/or, more specifically sexual misconduct across the Canadian provinces, has identified best practices as well as existing gaps in the data, reporting and disciplinary processes within many jurisdictions.

Sexual misconduct committed within the context of educational institutions is a form of professional misconduct, which refers to specific acts and situations that may result in a professional sanction for the individual. While professional misconduct includes when a student is sexually abused by a teacher or another school employee, as well as inappropriate interactions and the violation of professional boundaries, the act(s) may or may not be an offence under the Criminal Code. Every territory/province's teacher organization has their own definition of what constitutes professional and/or, more specifically, sexual misconduct.

We concluded this review with recommendations to address child sexual abuse and professional misconduct within the K-12 education system. These initiatives include broad policies and practices to protect children, as well as those aimed specifically at school boards,

recommendations for education and awareness for school personnel, and suggested practices for education and training on child sexual abuse.

References

- Abboud, M.J., Wu, G., Pedneault, A., Stohr, M.K., & Hemmens, C. (2020). Educator sexual misconduct: A statutory analysis. *Criminal Justice Review*, 31(1), 133-153.
- Afifi, T.O., MacMillan, HL, Boyle, M., Taillieu, T., Cheung, K., & Sareen, J. (2014). Child abuse and mental disorders in Canada. *Canadian Medical Association Journal*, 186(9), E324-32.
- Barrison Law Criminal Defence (2019, April 18). Supreme court rules a crucial element of child luring law is unconstitutional. <https://criminallawoshawa.com/supreme-court-rules-a-crucial-element-of-child-luring-law-is-unconstitutional/>
- Blad, E. (2022, April 26). Why misusing ‘groomer’ as a political smear is especially dangerous. *Education Week*. <https://www.edweek.org/leadership/why-misusing-groomer-as-a-political-smear-is-especially-dangerous/2022/04>
- Canadian Centre for Child Protection (C3P) (2018). *Child Sexual Abuse by K-12 School Personnel in Canada, Executive Summary*. Author: Winnipeg. <https://www.protectchildren.ca/en/resources-research/child-sexual-abuse-by-school-personnel-in-canada-report/>
- Canadian Centre for Child Protection (C3P) (2019). The prevalence of sexual abuse by k-12 school personnel in Canada, 1997-2017. *Journal of Child Sexual Abuse*, 28(1), 46-66.
- Canadian Centre for Child Protection (C3P) (2022). *Child Sexual Abuse and Victimization by K-12 School Personnel in Canada, Second Edition (2017-2022)*. Author: Winnipeg. <https://www.protectchildren.ca/en/resources-research/school-report/>
- CBC News (2023, September 1). Quebec report on sexual misconduct in schools shows ‘widespread’ weaknesses in handling cases, minister says. Author: Montreal. <https://www.cbc.ca/news/canada/montreal/quebec-bernard-drainville-education-ministry-sexual-misconduct-school-report-1.6954876>
- Department of Justice Canada (2013). Sexual offending against children and youth. <https://www.canada.ca/en/news/archive/2013/02/sexual-offending-against-children-youth.html>
- Department of Justice Canada (2019). Justfacts. Sexual violations against children and child pornography. <https://www.justice.gc.ca/eng/rp-pr/jr/jf-pf/2019/mar02.html>
- Ezoni, L. (2020). The crime of grooming. *Child and Family Law Journal*, 8(1), Article 1.
- Finkelhor, D., Turner, H., & Colburn, D. (2022). Prevalence of online sexual offenses against children in the U.S. *JAMA Network Open*, 5(10), e2234471.

- Gallagher, B. (2000). The extent and nature of known cases of institutional child sexual abuse. *British Journal of Social Work, 30*, 795-817.
- Government of Alberta (2022a). *Reforming teacher profession discipline*.
<https://www.alberta.ca/improving-teacher-discipline.aspx>.
- Government of Alberta (2022b). *Reforming teacher profession discipline processes*.
<https://www.alberta.ca/reforming-teacher-profession-discipline-processes.aspx>
- Grant, B.-J., Wilkerson, S., & Henschel, M. (2019). Passing the trash: Absence of state laws allows for continued sexual abuse of K-12 students by school employees. *Journal of Child Sexual Abuse, 28*(1), 84-104.
- Henschel, M.M., & Grant, B.-J. (2019). Exposing school employee sexual abuse and misconduct: Shedding light on a sensitive issue. *Journal of Child Sexual Abuse, 28*(1), 26-45.
- Ibrahim, D. (2022). *Online child sexual exploitation and abuse in Canada: A statistical profile of police-reported incidents and court charges, 2014 to 2020*. Statistics Canada: Ottawa.
- International Centre for Missing & Exploited Children (ICMEC) (2017). *Online grooming of children for sexual purposes: Model legislation & global review*.
<https://www.icmec.org/online-grooming-of-children-for-sexual-purposes-model-legislation-global-review/>
- Jaffe, P., Straatman, A.L., Harris, B., Georges, A., Vink, K., & Reif, K. (2013). Emerging trends in teacher sexual misconduct in Ontario 2007-2012. *Education Law Journal, 23*(1), 19-39.
- Jeglic, E.L., Calkins, C., Kaylor, L., Margeotes, K., Doychak, K.,...Panza, N. (2022). The nature and scope of educator misconduct in K-12. *Sexual Abuse, 0*(0), 1-26.
- Jeglic, E.L., & Winters, G.M. (2023). The role of technology in the perpetration of childhood sexual abuse: The importance of considering both in-person and online interactions. *Children, 10*(8), 1306.
- Jeglic, E.L., Winters, G.M., & Johnson, B.N. (2023). Identification of red flag sexual grooming behaviors. *Child Abuse & Neglect, 136*(8), February 2023.
- Kaylor, L.E., Winters, G.M., Jeglic, E.L., & Cilli, J. (2022). An analysis of child sexual grooming legislation in the United States. *Psychology, Crime & Law, 1-19*.
- Knoll, J. (2010). Teacher sexual misconduct: Grooming patterns and female offenders. *Journal of Child Sexual Abuse, 19*(4), 371-386.
- Lanning, K.V. (2018). The evolution of grooming: Concept and term. *Journal of Interpersonal Violence, 33*(1), 5-16.

- MacCharles, T. (2009, December 4). Online 'grooming' of kids ruled a crime. *Toronto Star*.
https://www.thestar.com/news/canada/2009/12/04/online_grooming_of_kids_ruled_a_crime.html#:~:text=In%20the%20first%20test%20of,is%20committed%20or%20even%20attempted.
- McAlindon, A.M. (2012). *'Grooming' and the sexual abuse of children: Institutional*. Oxford University Press.
- Moulden, H.M., Firestone, P., Kingston, D.A., & Wexler, A.F. (2010). A description of sexual offending committed by Canadian teachers. *Journal of Child Sexual Abuse, 19*, 403-410.
- Ontario College of Teachers (2021, September 1). Development of mandatory sexual abuse prevention program for Ontario certified teachers.
<https://www.oct.ca/public/media/press-releases/2021/20210824>
- Parliament of Canada (2021, May 28). Bill C-304. <https://www.parl.ca/DocumentViewer/en/43-2/bill/C-304/first-reading>
- Public Safety Canada (2022). Child sexual exploitation on the internet. Countering Crime.
<https://www.publicsafety.gc.ca/cnt/cntrng-crm/chld-sxl-xplttn-ntmnt/index-en.aspx>
- Shakeshaft, C. (2004). Educator sexual abuse: A synthesis of existing literature. U.S. Department of Education, office of the Under Secretary.
<https://www2.ed.gov/rschstat/research/pubs/misconductreview/index.html>
- Shakeshaft, C. (2013). Know the warning signs of educator sexual misconduct. *Phi Delta Kappan, 94*(5), 8-13.
- Shakeshaft, C., Parry, M., Chong, E., Saima, S., & Lindh, N. (2022). School employee sexual misconduct: Red flag grooming behaviors by perpetrators. In Kalfoglou, E., & Kalfoglou, S. (Eds.). *Sexual abuse – An interdisciplinary approach*. IntechOpen.
- State of Victoria (2022). Grooming offence. <https://www.justice.vic.gov.au/safer-communities/protecting-children-and-families/grooming-offence#>
- Stop Educator-Child Exploitation (SECE) (2022). Educator sexual misconduct and assault: A crisis in the Canadian school system in need of comprehensive reform.
<https://seceinfo.files.wordpress.com/2022/10/stop-child-educator-exploitation-sece.pdf>
- Sullivan, J., & Beech, A. (2002). Professional perpetrators: Sex offenders who use their employment to target and sexually abuse the children with whom they work. *Child Abuse Review, 11*(3), 153-167.

- Van Robays, G. (2022, October 23). Opinion: The groomer moral panic has fatal consequences. *The Pitt News*. <https://pittnews.com/article/176338/opinions/opinion-the-groomer-moral-panic-has-fatal-consequences/>
- Winters, G.M., & Jeglic, E.L. (2016). I knew it all along: The sexual grooming behaviors of child molesters and the hindsight bias. *Journal of Child Sexual Abuse, 25*(1), 20-36.
- Winters, G.M., & Jeglic, E.L. (2017). Stages of sexual grooming: Recognizing potentially predatory behaviors of child molesters. *Deviant Behavior, 38*(6), 724-733.
- Winters, G.M., & Jeglic, E.L. (2022a). *Sexual grooming: Integrating research, practice, prevention, and policy*. Springer: Cham, Switzerland.
- Winters, G.M., & Jeglic, E.L. (2022b). The sexual grooming scale – Victim version: The development and pilot testing of a measure to assess the nature and extent of child sexual grooming. *Victims & Offenders, 17*(6), 919-940.
- Winters, G.M., Jeglic, E.L., & Kaylor, L.E. (2020). Validation of the sexual grooming model of child sexual abusers. *Journal of Child Sexual Abuse, 29*(7), 855-875.
- Winters, G.M., Kaylor, L.E., & Jeglic, E.L. (2022). Toward a universal definition of child sexual grooming. *Deviant Behavior, 43*(8), 926-938.