



**Protecting Students
with Disabilities
from Sexual Assault**
An Educator's
Guide

New Mexico Coalition of Sexual Assault Programs, Inc.

In 1978, the state of New Mexico Legislature created the Sexual Crimes Prosecution and Treatment Act. This Act mandates that the state provide support to professionals (medical, mental health, law enforcement, and social services) which will assist them in offering appropriate services to victims of sexual abuse. This law outlines the necessity to provide ongoing training on a variety of sexual abuse topics. It also mandates the provision of sexual abuse evidence collection in order to offer victims the best possible prosecution of their cases. Additionally, the Act provides for payment for all victims' medical exams following an assault or the discovery of abuse.

The New Mexico Coalition of Sexual Assault Programs (NMCSAP), a private, non-profit organization, was created and continues to exist to fulfill the requirements of this statute. In addition, the NMCSAP provides child sexual abuse prevention projects in rural New Mexico as well as a clearinghouse of literature and resources to assist professionals in the assessment, prosecution and treatment of sexual abuse and assault cases.

For more information please contact:

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Protecting Students with Disabilities from Sexual Assault An Educator's Guide

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Introduction

Ensuring the highest quality education for children is one of the most important undertakings we can assume as a society. Section 504 of the Rehabilitation Act of 1975, The Individuals with Disabilities Education Act (P.L. 108-446) and Title II of the Americans with Disabilities Act of 1990 state that schools have a responsibility to ensure equal educational opportunities to all students. This would include the right to learn in a safe and supportive environment where they are not victimized. Victimization can hinder a student’s capacity to learn in the school environment and interfere with the ability of students with disabilities to receive the education critical to their advancement.

“I have come to believe that a great teacher is a great artist... the medium is the human mind and spirit.”

John Steinbeck

Children who are victimized or rejected by their peers are more likely to display physical, behavioral, developmental, and learning disabilities than children who are not (Doren, Bullis, & Benz, 1996; Marini, Fairbairn, & Zuber, 2001).

Morrison and Furlong (1994) examined violence at a school with 554 high school students, 30 of whom were students with special needs. They found that students in special day classes were victimized more often than those in more inclusive settings (Kaukiainen et al., 2002; Morrison, Furlong, & Smith, 1994). This outcome may be because isolation from the general education students can limit opportunities to learn social skills (Mishna,

2003) and develop a protective group of peers (Morrison et al., 1994; Whitney, Smith & Thompson, 1994).

There is a growing consensus that students with disabilities are harassed at a rate much higher than the general population (Choe, Teplin & Abram, 2008; Modell & Penrod, 2010; Modell, & Mak, 2008; Raskauskas & Modell, 2011; Rose, Espelage, Stein, & Elliot, 2009; Sullivan & Knutson, 2000; Whitney, et al, 1994). According to the United States Department of Justice, (2009) youth with disabilities experienced violence at nearly twice the rate as those without disabilities.

The risk of being a victim of crime, especially a victim of sexual assault, is 4 to 10 times higher for someone with a disability. Research studies

“Education is a better
safeguard of liberty
than a standing army.”

Edward Everett

(Powers, et al, 2002; Sobsey, 1994; Petersilia, 1998; Waxman, 1991) consistently report that there is a very high rate of sexual violence against people with physical and cognitive disabilities, as well as, those with significant speech/communication disabilities.

A number of factors exist that may serve to increase the likelihood that a student with a disability will be sexually abused. These factors include: Powerlessness, Support for Activities of Daily Living (ADL), Isolation, Communication Barriers, Lack of Abuse Prevention Education, and Poor Organizational Structures and Policies of Schools and School Districts that Support Students with Disabilities.

Powerlessness – often times, students with disabilities are not empowered to make choices for themselves. Typically, caregivers make decisions for them. This dependence on caregivers puts them at risk for becoming sexual abuse victims as they are taught to obey their caregivers and compliance is reinforced.

Support for Activities of Daily Living (ADL's) – students who require support for ADL's are at particular risk for sexual abuse. Students who need assistance with bathing and bathrooming typically have little control over who touches their bodies and in what manner. This history may also lead to difficulty developing a clear understanding of appropriate and inappropriate

“Tell me and I’ll forget;
show me and I may
remember; involve me
and I’ll understand.”

Chinese Proverb

touching. Additionally, the need for ADL support for feeding and/or mobility creates a significant power differential between a student with a disability and a support person. Control over food (when you eat, how much you eat, what you eat, etc.) and/or mobility (where you go, when you go, who you go see, etc.) is extremely powerful.

Isolation - students with disabilities may be isolated from the rest of the community, which increases the likelihood that sexual abuse will take place, and it also increases the likelihood that the abuse will go undetected.

Communication Barriers - some offenders specifically seek victims with disabilities because they are perceived to be unable to seek help or unable to report the crime (*Lang*

& *Frenzel, 1988*). Other research suggests the risk of victimization is likely increased if the offender believes the victim will not be able to successfully or credibly tell anyone about the crime (*Bryen, Carey, & Frantz, 2003*).

Lack of Abuse Prevention Education – lack of information makes it difficult for students with disabilities to understand, recognize and report abusive situations. It is critical that abuse prevention education be a part of a student’s educational curriculum.

Poor Organizational Structures and Policies of Schools and School Districts that Support Students with Disabilities – schools and school districts that do not have adequate screening and training for staff and volunteers and/or lack

clear abuse guidelines and policies put students with disabilities at greater risk for abuse.

What can educators do to prevent students with disabilities from being sexually assaulted?

A number of intervention strategies can be used in schools and classrooms including small group discussions and the use of a sexual abuse curriculum. Primary goals of the curricula should be:

- ❑ Understanding the definition of sexual assault and abuse
- ❑ Increasing the awareness of the different types of sexual assault and abuse

- ❑ Raising sensitivity and knowledge of all school staff to the issues related to sexual assault and abuse
- ❑ Increasing students understanding of how to report sexual abuse.

For students with disabilities, some lessons and instructional strategies may need to be modified. In modifying lessons, it is important to consider the students behavioral and cognitive needs. Typically, students with intellectual disabilities will need some adjustment to how information is presented. However, not all students with disabilities will need modifications.

Students with intellectual disabilities who currently receive social skills training could have recognizing and responding to sexual assault and

abuse training incorporated into their ongoing education. They could be taught assertiveness and to say things such as, “I don’t like it when you touch my body that way. I want you to stop now.”

How to address concepts of sexuality?

Teaching children with disabilities about sexuality can be a very difficult thing to do. It depends on the child’s disability, their intellectual abilities and existing school district policy and curricula regarding sexual assault and abuse. Educators must consider providing sexual abuse training for students with disabilities for several reasons.

First, research indicates children with disabilities are statistically at a greater risk for sexual assault and other criminal victimizations.

Secondly, some children may not understand what constitutes abuse.

And finally, many children with disabilities may not have a clear understanding of how to set boundaries. For example, due to a history of assistance with activities of daily living or early in life surgeries that blur the boundaries of appropriate and inappropriate touching, children may not understand the boundaries regarding what parts of their body should or should not be touched.

Children must also be involved early on in the process of any conversations that relate to their personal care. This includes: bowel and bladder management, bath rooming, or other activities of daily living and care. Educators and paraeducators should engage students as appropriate so that they start to understand their body and what represents appropriate and inappropriate touching.

How can we teach students with disabilities concepts of safety?

- ❑ Teach students that an adult should never ask them to keep a secret and to tell the teacher if anyone does

- ❑ Distinguish between “surprises” and “secrets”
 - Secrets are never to be told to anybody else
 - Surprises are okay because eventually everybody knows about a surprise (like a birthday party)
- ❑ No one should kiss or hug you if you don’t want them to
 - Conversely, teaching about inappropriateness of hugging strangers as a greeting
- ❑ The parts of your body that a bathing suit covers are private
- ❑ Use real names for body parts, but those parts of our bodies are private

“The mediocre teacher tells. The good teacher explains. The superior teacher demonstrates. The great teacher inspires.”

William Arthur Ward

- ❑ Other people shouldn’t touch or look at their private parts (exception is mom, dad or caregiver in assisting with changing or bathing)
- ❑ Distinguishing between touches in a concrete way
 - “Red Flag Touches” – are those touches that are in our private area and are not appropriate
 - “Green Flag Touches” – are those touches that are appropriate
- ❑ Discussing what healthy relationships are
 - Between adults and children
 - Between students, peers and friends
 - Other

What are some common risks for abuse that educators might overlook?

Students with disabilities may have access to technology such as cellular telephones, Skype, internet, social networking sites such as MySpace, FaceBook and Twitter or online dating services. They may have little understanding of the potential dangers involved by participating in these activities, and may be more vulnerable to victimization.

However, students with disabilities need a balance between being protected and the ability to engage in age appropriate social interaction with peers. Technology can level the playing field for some students with disabilities. In the virtual world, everyone can be equal. Therefore,

the desire to use such technology may be great. As such, educators should embrace this desire with support and guidance, providing access to these technologies as well as supervision to minimize risk.

What can educators do to increase safety?

The following should be addressed by your school or school district:

- ❑ Implementing clear stated policies and procedures for identifying and responding to suspicious staff behavior and signs of abuse or exploitation of students.

- ❑ Implementing clear procedures and protocols to train and educate staff about these policies and procedures and how they can handle allegations.
- ❑ Determining the type of sexuality education that is to be used with students with and without disabilities.
- ❑ Reviewing existing staff/employee screening procedures and hiring policies.
- ❑ Clearly defined protocols of how investigations of sexual abuse are handled.
- ❑ Identifying, when and if abuse occurs, what supports are offered to help students recover.

As a teacher, how do I respond if a student tells me he or she has been abused?

Hearing your student tell you that he or she has been abused is never an easy experience. Try to remain calm and to respect your student's safety, privacy and dignity.

If he or she tells you in a place that is not private or where others can hear, immediately move to a private place where you can talk safely.

Ask the student:

“Can you show me where he touched you?”

“Where on your body did he touch you?”

“Are you afraid of anyone?”

“Has anyone made you do something you did not want to do?”

“Has anyone said things to make you sad or upset?”

These questions can help you to clarify what is going on once allegations are made (*Couwenhoven, 2007*).

After your student has told you that he or she was abused, don't attempt to handle things on your own or pressure the student with additional questions. This can interfere with an investigation and influence reporting.

“I like a teacher who gives you something to take home to think about besides homework.”

Lily Tomlin

The following is a list of things that you can do right away:

- Believe your student. No matter how old your student is, believe and support him or her. Reporting abuse takes incredible courage and your student may be very fearful.
- Reassure your student that it is not his or her fault and that telling was the right thing to do.
- Contact the authorities.

If your student is a minor, contact the New Mexico Child Protective Services at 1-800-797-3260 or if your child is an adult, contact your local police or sheriff department.

What else do I need to know?

The New Mexico Coalition of Sexual Assault Programs, Inc. has created a Statewide Disability Advocate Program. This Advocate is available to provide you with information, resources and referrals regarding violence against individuals with disabilities.

Statewide Disability Advocate

505-920-3392

New Mexico Coalition of Sexual Assault Programs

505-883-8020

New Mexico Disabilities Resource List

The Ability Center For Independent Living

715 East Idaho Ave
Suite 3 E
Las Cruces NM 88001
505-526-5016 Voice
505-526-1202 Fax
www.theabilitycenter.org

The Arc of New Mexico

3655 Carlisle, NE
Albuquerque, NM 87110
505-883-4630
505-883-5564 fax
www.arcnm.org

Back in Use

3900 Osuna Rd. NE
Albuquerque, NM 87109
505-341-7171
BackInUse@goadelante.org
backinuse.com

Choices Center for Independent Living

200 East fourth Street, Suite 200
Roswell NM 88230
575- 627-6727 voice
575-627-6727 TDD
800-387-4572 800

CYFD, New Mexico Children, Youth & Families Department

P.O. Drawer 5160
Santa Fe, NM 87502-5160
1-855-333-SAFE (7233)
www.cyfd.org/contet/contacting-cyfd

Community Outreach Program for the Deaf

10601 Lomas NE Suite 112
Albuquerque, NM 87112
800-229-4262 TTY/voice, in-state toll free
505-255-7636
After Hours Emergency Referral Service:
Albuquerque Area - 505-857-3642
Outside Abq. Area – 888-549-7684 toll free
www.copdnm.org

Disability Rights New Mexico

Albuquerque:
1720 Louisiana Blvd. NE, Suite 204
Albuquerque, NM 87110
505-256-3100 voice/TTY
505-256-3184 fax
1-800-432-4682 State-wide Toll Free
info@drnm.org

Las Cruces:

133 Wyatt Drive, Suite 11
Las Cruces, NM 88005
575-541-1305 voice
575-647-9056 fax

Las Vegas:

P.O. Box 879
Las Vegas, NM 87701
505-425-5265 voice
505-454-9253 fax

Independent Living Resource Center

4401-b Lomas, Northeast
Albuquerque NM 87110
505-266-5022 voice
505-266-5150 TDD
gilylidz@ilrcnm.org

Independent Living Resource Center Satellite (ILRC)

700 First Street, Suite 772
Alamogordo, NM 83310
505-439-1112 voice
505-439-1112 TDD
505-439-1113 fax
mikecil@tularosa.net

Independent Living Resource Center Satellite (ILRC)

1208 Route 66, Suite E
Moriarty, NM 87035
505-832-1128 voice
505-832-1128 TDD
505-832-1153 fax

Independent Living Resource Center Satellite (ILRC)

120 Plaza; P.O. Box 765
Socorro NM 87801
505-266-5022 voice
505-266-5022 TDD
505-266-5150 fax

The Information Center for New Mexicans with Disabilities/BabyNet

Center for Development and Disability
1-800-552-8195 or 505-272-8549
infonet@unm.edu
cdd.unm.edu/linc/babyet/index.htm

Multiple Chemical Sensitivities Task Force of New Mexico

P.O. Box 23079
Santa Fe, NM 87502
505-983-9208

NAMI (National Alliance for Mentally Ill) New Mexico

6001 Marble NE, Suite 8
Albuquerque, NM 87190
505-260-0154
www.nami.org/MSTemplate.cfm?MicrositeID=78

New Mexico Abused Deaf and Hard of Hearing Advocacy Center

47 Sunset Road
Santa Fe, NM 87507-4286
505-819-5625

New Mexico AIDS Services, Main Office

625 Truman St. NE
Albuquerque, NM 87110
505-938-7100
888-882-AIDS (2437) toll free
www.nmas.net

New Mexico AIDS Services, Farmington

3535 E. 30th St., Suite 127
Farmington, NM 87402
505-327-7043
888-929-0911 toll free
www.nmas.net

New Mexico AIDS InfoNet

P.O. Box 810
Arroyo Seco, NM 87514
www.aidsinfonet.org

New Mexico Commission for the Blind

Administrative Office, Santa Fe
888-513-7968 toll free
www.cfb.state.nm.us

New Mexico Commission for the Blind
Alamogordo Orientation Center
505-437-0401
888-513-7967 toll free

New Mexico Commission for the Blind
Albuquerque Office
505-841-8844
888-513-7958 toll free

New Mexico Commission for the Blind
Farmington Office
505-327-3031
888-513-7964 toll free

New Mexico Commission for the Blind
Las Cruces Office
575-524-6450
888-513-7960 toll free

New Mexico Commission for the Blind
Las Vegas Office
505-425-3546
888-513-7963 toll free

New Mexico Commission for the Blind
Roswell Office
575-624-6140
888-513-7961 toll free

New Mexico Commission for the Blind
Santa Fe Office
505-476-4479
888-513-7968 toll free

New Mexico Commission for Deaf and Hard of Hearing Persons
Albuquerque Office
2500 Louisiana Blvd. NE, Suite 400
Albuquerque, NM 8711
505-881-8824 TTY/voice
505-435-9319 VP
800-489-8536 toll free
www.cdhh.state.nm.us

New Mexico Commission for Deaf and Hard of Hearing Persons
Las Cruces Office
101 N. Alameda, Suite 4
Las Cruces, NM 88005
575-525-1036 voice
575-525-1027 TTY
575-541-3403 VP

**New Mexico Department of Health
Developmental Disabilities Supports Division**
810 San Mateo, PO Box 26110
Santa Fe, New Mexico 87502-6110.
505-476-8973 voice
1-877-696-1472 toll free

**New Mexico Developmental Disabilities
Planning Council**
505-476-7321 voice
888-779-6183 toll free
www.nmddpc.com

**New Mexico Developmental Disabilities
Planning Council**
Office of Guardianship
505-476-7332 voice
800-311-2229 toll free

**New Mexico Department of Health
Public Health Division**

505-827-2389
www.health.state.nm.us

**New Mexico Governor's Commission on
Disability**

491 Old Santa Fe Trail
Santa Fe, New Mexico 87501-2753
505-476-0412 TTY/voice
505-827-6328 fax
877-696-1470 in-state toll free
www.gcd.state.nm.us

New Mexico Protection and Advocacy System

800-432-4682 toll free
505-256-3100
www.nmpanda.org/index2.html

New Mexico Public Education Department
Special Education Bureau
120 South Federal Place, Room 206
Santa Fe, NM 87501
505-827-1457 voice
505-954-0001 fax

New Mexico Relay System

800-659-8331 TTY/toll free voice
800-659-8331 toll free voice
877-659-4174 VCO (voice carry over)
800-555-8111 Mobile Caption Service
888-659-3952 Speech-to-Speech
800-327-1857 toll free Spanish Speaking
www.relaynm.org

New Mexico Center for Self-Advocacy

2340 Menaul Blvd. Suite 100
Albuquerque, NM 87107
505-341-0036

New Vistas

1205 Parkway Drive
Santa Fe NM 87505
505-471-1001 voice
505- 471-4427 TDD

New Vistas (Satellite)

P.O Box 2625
Las Vegas NM 87701
505-425-5044 voice

Rape Crisis Center of Central New Mexico

Interpreter Services can be provided to your agency free of charge through the Rape Crisis Center of Central New Mexico. To arrange free interpreter services call: 888-811-8282
rapecrisiscnm.org

San Juan Center For Independence

3535 E. 30th St. #101
Farmington NM 87402-8801
505-566-5827 voice
505-566-5827 TDD
505-566-5842 fax

San Juan Center for Independence (Satellite)

Rio West Mall 200
Gallup NM 87301
505-726-2709 Voice
505-726-2735 Fax

Southwest Services for the Deaf

505-255-7636 TTY/voice
www.southwestdeafservices.com

**State of New Mexico Commission for the Blind
Administrative Office**

2905 Rodeo Park Dr. E. Bldg. 4 Suite 100
Santa Fe, NM 87505
505-476-4479 voice
888-513-7968 fax

**State of New Mexico Commission for the Blind
Albuquerque Field Offices**

2200 Yale Blvd. SE
Albuquerque, NM 87106
505-841-8844 voice
888-513-7958 fax

**State of New Mexico Commission for the Blind
Alamogordo Orientation Center**

408 North White Sands Blvd.
Alamogordo, NM 88310
575-437-0401 voice
888-513-7967 fax

**State of New Mexico Commission for the Blind
Roswell Field Office**

400 North Pennsylvania, Suite 900
Roswell, NM 88201
575-624-6140 voice
888-513-7961 fax

**State of New Mexico Commission for the Blind
Las Cruces Field Office**

Matrix Capital Bank Building
277 East Amador, Suite 101
Las Cruces, NM 88001
575-524-6450 voice
888-513-7960 fax

**State of New Mexico Commission for the
Blind**

Las Vegas Field Office
2505 Ridge Runner Road
Las Vegas, NM 87701
505-425-3546 voice
888-513-7963 fax

**State of New Mexico Commission for the
Blind**

Farmington Field Office
3535 E. 30th, Suite 110
Farmington, NM 87402
505-327-3031 voice
888-513-7964 fax

**University of New Mexico, Center for
Developmental Disabilities**

A University Center for Excellence
505-272-3000 voice
505-272- 5280 fax
cdd.unm.edu

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