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July 17, 2012

The Honorable Gene L. Dodaro  
 Comptroller General  
 U.S. Government Accountability Office  
 441 G Street, NW  
 Washington, DC 20548-0001

Dear Mr. Dodaro:

The child sexual abuse scandal at The Pennsylvania State University, other recent incidents of child abuse and findings contained within the Government Accountability Office's (GAO) prior work for the Committee on Education and the Workforce have raised a number of concerns about whether we have adequate laws and policies in place to prevent and address abuse of children in schools. As Chairman of the Committee in previous Congresses, I requested GAO investigations that have uncovered thousands of cases and allegations of child abuse at teen residential treatment programs around the country.<sup>1</sup> GAO also identified many instances of the negligent and abusive use of seclusion and restraint techniques in our nation's schools, which in some instances resulted in the death of a child.<sup>2</sup> And, GAO has reported to the Committee on disturbing practices by some schools whereby school employees with histories of sexual misconduct have been passed from one school to another where they are free to continue abusing other children.<sup>3</sup>

Because federal child protection laws are not generally directed at school personnel and state laws vary in what they require when allegations of abuse by school employees or on school campuses arise, I am interested in learning more about how elementary and secondary schools, school districts, and institutions of higher education respond to such allegations.

Specifically, so we can evaluate whether institutional policies and practices are sufficient to ensure children's safety, I seek information about when and how such allegations are referred to other agencies, including state agencies and local law enforcement agencies, the qualifications of school personnel who

<sup>1</sup> U.S. Government Accountability Office. *Concerns Regarding Abuse and Death in Certain Programs for Troubled Youth*, GAO-08-146T. (Oct. 10, 2007). <http://gao.gov/products/GAO-08-146T> (accessed July 17, 2012).

<sup>2</sup> U.S. Government Accountability Office. *Selected Cases of Death and Abuse at Public and Private Schools and Treatment Centers*, GAO-09-719T. May 19, 2009. <http://gao.gov/products/GAO-09-719T> (accessed July 17, 2012).

<sup>3</sup> U.S. Government Accountability Office. *K-12 Education: Selected Cases of Public and Private Schools That Hired or Retained Individuals with Histories of Sexual Misconduct*, GAO-11-200. December 2010. <http://gao.gov/products/GAO-11-200> (accessed July 17, 2012).

conduct internal investigations, what is done to ensure that individuals found to have engaged in abusive conduct involving children are not allowed to work in schools, and whether existing laws or policies are effective in addressing any potential institutional or leadership resistance to reporting abuse allegations to the proper authorities.

Given these concerns and our duty to determine whether laws and policies adequately protect children from abusive situations in elementary, secondary, and post-secondary schools, I respectfully request that GAO address the following questions:

- 1) What policies and procedures do school districts have in place to prevent the abuse of children by school staff and how do they handle allegations of such abuse when they arise?
- 2) What policies, laws, and regulations do states have in place to address alleged abuse of children by school personnel, and what steps do states take to provide effective oversight to ensure school districts are adhering to state requirements?
- 3) How many allegations of child physical or sexual abuse by school employees or on school campuses are filed with schools, districts, and institutions of higher education?
- 4) What are the policies and procedures for notifying parents when there is an allegation or investigation of abuse by school employees or on school campuses?
- 5) Are state agencies that accredit teachers notified of allegations or findings of abuse? And, if so, how and when is that information conveyed?
- 6) What policies and procedures do school districts and institutions of higher education have in place to protect children who may not be enrolled in the institution but participate in programs conducted on campus?
- 7) What policies and procedures do school districts and institutions of higher education have in place to prevent other institutional priorities from overcoming child safety when an allegation of child abuse arises?
- 8) How do federal agencies support schools, districts and institutions of higher education in addressing the abuse of children?

I appreciate your assistance with this request. Please direct your staff to coordinate GAO's response with Ruth Friedman or Kate Ahlgren with the Committee's Democratic staff at (202) 225-3725.

Sincerely,



**GEORGE MILLER**

Senior Democratic Member

cc: John Kline, Chairman, Committee on Education and the Workforce