

# Wilson Kenney: Sexual Misconduct in Children: An Intervention Model that Works in Schools and Communities

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Rebecca Spangler<sup>1</sup>

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It seems that when a child does anything remotely sexual, the first reaction of most people is pure panic. All of the things people commonly say about the subject flood the mind. “A child only acts out sexually when he or she has been sexually abused.” Or, “It’s not normal for children to act out sexually at this age—the child is probably going to grow up to be a sexual deviant.” What seems to immediately leave the mind is rationality. After all, sex behavior is natural. It is true that a child who acts out sexually may have, unfortunately enough, been abused; however, it could also be the case that the child accidentally landed on an inappropriate television program while flipping through channels. The difficulty in addressing children’s sexual behaviors is that it requires parents, teachers, school administrators, and others to strike an appropriate balance—when a child acts out sexually, it is important that they not overreact, but it is equally, if not more, important that they not underreact. Wilson Kenney discusses an intervention model in his book, *Sexual Misconduct: An Intervention Model that Works in Schools and Communities*, that he believes strikes this balance and effectively protects individual students who have engaged in misconduct, other children in the school, and the community.

Chapter one serves as an introduction. It walks through what decision-makers need to create an effective intervention strategy to deal with children who exhibit concerning sexual behavior. Kenney asserts that these decision-makers need: “(1) to know the most important questions to ask, and how to ask them, (2) a basic

understanding of what is developmentally normative and nonnormative sexual behavior for children, (3) a systematic means for addressing safety and supervision and handling liability, and (4) a method for accessing expertise and community support when additional help is needed” (Kenny 2013, p. 4). Kenney believes that a system that reflects these needs may be attainable by developing protocols, training professionals, creating a formal procedure for dealing with sexual behavior that is concerning, and utilizing a multiagency team. A process for developing systems that benefit from these characteristics is outlined in the next several chapters.

Threat assessments are discussed in chapter two. Historically, threat assessments involved the process of having a professional give psychological tests, examine personal histories, and interview individuals. At the conclusion, the professional would indicate in a report whether the person was a risk to others and under what conditions the person was likely to be harmful. Kenney argues that this method is not ideal because it fails to account for three important factors: “assessor bias, the passage of time, and environmental influences (i.e., context)” (Kenny 2013, p. 8).

To remedy the problems with traditional threat assessments, Kenney recommends a “Leveled Threat Assessment System” (Kenny 2013, p. 10). This system was originally intended for identifying potential school shooters; however, Kenney asserts that the mechanisms should work just as well in addressing sexual behavior. The steps of this process are as follows: “(1) [s]chool officials learn that concerning sexual behavior or the threat of concerning sexual behavior has occurred on or off school grounds, before, during, or after school and file a report with the appropriate protective body.... (2) School administrator[s] and school counselor[s] make the decision to either conduct a Level 1 examination or dismiss the case. (3)

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✉ Rebecca Spangler  
rmspangl@indiana.edu

<sup>1</sup> Indiana University Maurer School of Law, Bloomington, IN, USA

School administrator[s] and school counselor[s] immediately convene a Level 1 Team meeting and answer the questions in the Level 1 Protocol. (4) Based upon the results of the Level 1 Protocol, the Level 1 Team decides to dismiss the case or develop a supervision plan and/or request a Level 2 Team review if additional consultation is required. 5. In the event that a Level 2 consultation is sought, the Level 2 Team... convenes, reviews the details of the case, and provides immediate feedback to the Level 1 Team. The Level 2 Team continues to follow cases until they are resolved to the satisfaction of the Level 2 Team and the risk is effectively mitigated” (Kenney 2013, p. 10). This model seems very straightforward when presented like this; however, this method does involve cooperation of many people and thus may get highly complicated.

In step 1 of the above procedure, school officials learn that some type of concerning sexual behavior has occurred. Kenney recommends starting by documenting the allegations. People often wonder if this means that school officials should document everything that happens—even those things that may seem minor. Generally, Kenney argues that it is a good idea to be cautious and err on the side of reporting. This also helps the school from a risk and liability mitigation stance; however, it is conceivable that reporting every minor incident may backfire. While concerns about risk and liability are certainly valid, parents would likely be alarmed at the idea of their children being “reported” for minor sexual incidents.

In step 2, a meeting occurs to determine if a Level 1 Team meeting is necessary. According to Kenney, “[a] Level 1 Team meeting should be recommended if any of the following criteria are met: (1) [t]he student’s sexual behavior is causing disruption in school or community activities. (2) Interventions designed to decrease the concerning sexual behavior have been unsuccessful. (3) There is a history of sexually inappropriate behavior. (4) The administrator and school counselor are unable to assert that the concern is unfounded” (Kenney 2013, p. 12). Deciding whether to conduct a Level 1 Team meeting can be particularly difficult when dealing with young children or with cognitively impaired children; however, applying the same criteria listed above should be helpful. This part of the intervention model is useful because it gives concise, specific criteria that professionals may use to separate minor incidents from incidents that need further evaluation.

Step 3 is to convene the Level 1 meeting if the meeting is warranted. The goal is to work collaboratively to determine how to move forward after an incident of concerning sexual behavior. This meeting is not meant to be disciplinary. In step 4, the Level 1 Team may decide to terminate the case, develop a supervision plan, or develop a supervision plan and call a Level 2 meeting. Having multiple courses of action available to the Level 1 Team is

important because it alleviates concerns of wasting resources that may not necessarily be appropriate for some cases.

If and when a Level 2 consultation is requested, the Level 2 facilitator will collect background information to assist in the consultation. The Level 2 Team should be comprised of individuals from multiple agencies and multiple disciplines. They meet to discuss concerning sexual behavior and provide consultations on appropriate supervision plans and interventions. The Level 2 Team sends these recommendations to the Level 1 Team, who then choose whether to implement those recommendations.

Kenney argues that this intervention model is ideal because it is fast and responsive to changes, and because the Level 2 Team is less prone to individual bias because decisions are made as a team rather than by a single individual. The leveled threat assessment is also effective to address liability because it creates a standard response to sexual behavior and it protects the school district from liability via the Level 2 Team. This is because the Level 2 Team is multidisciplinary; the decisions made and the liability incurred by the Level 2 Team are spread across the agencies. Indeed, this model does sound like an excellent way to address concerning sexual behavior. By having potentially two teams comprised of professionals from many fields evaluate the problems, the children are more likely to receive the best resources and supervision plans and have the best chance for future success.

Moving forward, in chapter three, Kenney discusses the importance of using correct language. Using simple yet clinical language will indicate to clients that the individual is a professional. Despite this, however, it is also important for a professional to know common colloquialisms in order to understand what less educated children or clients are talking about. Kenney gives a list of common sexual terms and the colloquialisms commonly used to reference them. He also recommends use of websites like [urbandictionary.com](http://urbandictionary.com) if a professional hears an unfamiliar colloquialism.

Clinical language can also be important to strike a balance. Clinical language can provide some much needed separation that helps parents better control their emotions; however, clinical language also can express the seriousness of a situation. Additionally, Kenney reminds readers to avoid terms such as “sexual offender” and “sexual offending” when discussing sexual behavior. This is because these are legal terms associated with law enforcement and the criminal justice system. They have no business in a clinical setting or in this particular intervention model. While Kenney’s discussion of clinical language makes sense in some regards, overly clinical language may confuse less-educated clients and students. Professionals should seek to ensure that those with whom they are working actually understand what they are saying.

Throughout chapter four, Kenney discusses the procedure that a Level 1 meeting should follow. The Level 1 meeting has three parts: introductions, surveys, and a case disposition. If the case is not dismissed, the team should establish a supervision plan, set a meeting to review the supervision plan, and request a Level 2 consultation.

During introductions, the facilitator should establish the purpose of meeting, state the limitations, and go through an agenda. There are several limitations. First, Level 1 protocol is not a risk assessment tool, is not an investigation tool, is not a psychological evaluation tool, and is not a diagnostic tool. The Level 1 protocol has two purposes: to help Level 1 team members determine when consultation is needed and to help develop a supervision plan. Clearly indicating specific purposes is important because it should keep the team on track toward its goals.

Next, during the survey, questions are used to gather information that may indicate concerning sexual behavior. The answers to these questions are important because they help the team understand the seriousness of the behavior and help develop the information necessary for an intervention plan. Questions may include the following: were the individuals similar in age, development, cognitive and/or physical capacity, emotional functioning, and/or coping skills? Is there a history of previous inappropriate sexual activity? Has previous disciplinary action been taken against the student for sexually inappropriate behavior? Do the parties give the same explanation of what happened, or are there discrepancies? Was coercion or manipulation used? Was this behavior normal developmentally? Was anyone harmed, physically or emotionally, by the occurrence? How does the student explain what happened, and was the student confused about whether what happened was appropriate? Was there an imbalance of power between the two parties involved? Was there a weapon? Was there evidence of grooming behavior? And are there any other concerns? (Kenny 2013, pp. 27–34). These questions suggested by Kenney are very well chosen as the answers would give a very holistic view of what happened, offer explanations as to the state of mind of the parties, and provide insight into what strategies may be useful moving forward.

Finally, during case disposition, the team has three options. They may “1. [d]ismiss the case as un concerning. 2. Develop a Supervision and Intervention Plan, which [professionals] will review periodically to determine if it is effective. 3. Develop a Supervision and Intervention Plan, which [professionals] will review periodically to determine if it is effective, and request Level 2 Consultation” (Kenny 2013, p. 35). The process may then either cease or move forward. As stated above, the multiple options available allows the Level 1 Team to conserve resources for the truly concerning cases.

In chapter five, Kenney discusses how to address resistance. Often, the first instinct of adults is to protect the child from inappropriate accusations. It is important to remember that the team’s goal is not to investigate every detail—it is the team’s role to ensure a safe school environment. The team can assure a safe environment by addressing concerning behavior in a consistent manner. Sometimes parents or staff may respond to alleged acts of concerning sexual behavior with passive resistance. They may recognize that the behavior is concerning, but simply cannot or will not address it. This is best met with open, honest discussion about liability and an offer of support. Other times parents or staff may respond with hostile resistance. Kenney reminds team members that there is no way to have a rational discussion with someone who is being verbally abusive. Some may also react with over-compliance. It is important to make sure people understand that Level 1 meetings and/or supervision plans are not meant to be punishment. Keep in mind that some resistance is normal and should be expected—lack of resistance may in and of itself indicate a problem. Knowing how to effectively deal with resistance is key to the success of this intervention plan and to the success of the process as it moves forward.

Having an entire chapter devoted to resistance is great because resistance is likely to occur eventually. Kenney’s suggestions are well thought out; however, more analysis may be needed on the appropriate course of action if a parent refuses to cooperate. Supervisors could keep the community safe while the child is in school, but the child must go home eventually. If the parents refuse to help, the whole point of a supervision plan breaks down.

Moving through chapter six, Kenney discusses different types of supervision and intervention plans. Supervision/intervention plans should diminish threats. Threat assessments generally suggest three factors to consider when mitigating threats: intent, opportunity, and access. Access is the easiest of the three to control. Intent and opportunity, however, have the potential to be assessed and impacted. Intent is a desire to act. Unfortunately, research indicates that sexual desire is difficult to change; however, it is not the role of schools to change intent—this is the job of mental health professionals. Opportunity refers to the where, the when, and the how. Supervision plans should take these aspects into account. A supervision plan should strive to accomplish several tasks, including ensuring the safety of others, protecting the reputation of the student, identifying who holds liability in what situations, improving accountability by outlining tasks and responsibilities, articulating a process for handling situations, and making clear what requirements and conditions should be met before considering a reduction in supervision.

There are two different kinds of supervision. One is “line-of-sight” supervision. This means that the student must always be in the “line of sight” of a “knowledgeable adult supervisor” (Kenny 2013, p. 47) “Arm’s-Reach” is a second type of supervision (Kenny 2013, p. 47). This is suggested when a professional needs to be able to physically block a student’s access to others to prevent inappropriate sexual behavior. Students requiring “arm’s reach” supervision may need one-on-one supervision, reductions in the school day, or more restrictive environments to protect others. Sometimes there may be a need for a “knowledgeable adult supervisor” (Kenny 2013, p. 49). These adults are informed of a student’s need for supervision, but they are not given all the details concerning the child’s sexual behavior. The adult supervisors should be told that the children have “interpersonal boundary issues” (Kenny 2013, p. 49). This term is rather ambiguous, but it does give supervisors the information they need. These supervisors allow for individual feedback on how well the intervention plan is working.

Kenny also warns to be on the lookout for students who “watch the watchers” (Kenny 2013, p. 50). These are students who look for opportunities to harm others sexually. These students look for gaps in supervision in order to engage in sexually harmful behavior. These students may be identified by their behaviors—they will spend as much time watching the supervisor and the supervisor spends watching them. Additionally, parents need to be made aware of the liability they incur in regard to their child’s sexual behavior. Parents need to know that it is their responsibility to protect their other children. This means that parents must inform anyone who supervises the child about potential liability. Again, this component presents a problem if parents refuse to participate or think that the behavior has been blown out of proportion. More thought may need to go into what to do if this were to occur.

Kenny also encourages involving law enforcement whenever possible. He gives three reasons for this recommendation. First, involving law enforcement spreads liability and demonstrates a commitment to safety. Second, law enforcement has access to information that the Level 1 team may not have access to. Third, oftentimes, the only way for a person exhibiting concerning sexual behavior to access assessment and treatment programs is through involvement of the legal system. While these are good arguments, involving law enforcement in even minor incidents may alarm parents and cause them to be uncooperative. Perhaps more specific criteria should be developed for when law enforcement involvement is appropriate.

Supervision plans for children exhibiting sexually inappropriate behavior need to remain effective until a substantial amount of evidence is present from multiple

sources that reducing supervision would be appropriate. Teams should proceed with caution when reducing supervision of these children for two reasons. First, these children may present as well behaved in order to hide concerning behaviors. Second, children may alter their persona for the purpose of gaining a reduction in supervision so that they may continue engaging in sexual behaviors later. Kenney suggests reductions in supervision only under the guidance and approval of a mental health professional. Sometimes, however, supervision is not enough and the Level 2 Team should become involved.

Chapter seven contains an in-depth explanation of the Level 2 team. The job of the Level 2 Team is only to offer consultation to the school and community. The team lacks any executive power, but the recommendations should still be taken seriously. Furthermore, Kenney asserts that this team can be molded to fit the needs of any individual community.

The Level 2 Team should be comprised of community members with expertise in managing individuals with concerning sexual behavior. Kenney recommends some combination of the following: “[a] Level 2 facilitator; [l]aw enforcement/school resource officer; [j]uvenile [j]justice staff; [j]uvenile parole/probation officers who manage sex offenders; [c]ommunity mental health providers; Department of Human Services/Child Protective Services worker; [d]istrict attorney’s representative; [s]chool counselor/behavioral specialist; SPED/504 representative; [s]chool psychologist; [s]chool security representative; [i]ndividual(s) with expertise in assessment/supervision of individuals with concerning sexual behavior; [and/or] [o]ther community liaisons” (Kenny 2013, p. 58). Kenney’s list gives great examples of school staff and community members who would be valuable additions to this kind of team. The range of expertise would be beneficial to the school and to the children involved.

One of the more crucial roles of those listed above is the Level 2 facilitator. This person must be able to work with a group comprised of individuals who come from different backgrounds and have differing opinions on the correct way to address concerning sexual behavior in children. It is for this reason, and due to the complexity of the work and the potential implications for the safety of the community and school, that a clearly established facilitator is important. The facilitator will need to know the essential functions of both the Level 1 and the Level 2 meeting. Additionally, the facilitator will need to develop a way to collect data from both Level 1 and Level 2. The facilitator will train the Level 2 team and encourage community involvement. Finally, the facilitator will report the Level 2 Team’s recommendation back to the Level 1 Team.

The primary function of the facilitator is to orchestrate the Level 2 Meeting. The facilitator should carefully

consider who should and should not be invited to participate in a Level 2 meeting. Those that should be involved are stakeholders in the community. Kenney suggests starting with agencies that make sense to partner with or who the school has partnered with in the past, then move to other, lesser known agencies that may provide beneficial insight.

At first, Level 2 meetings should always begin with instructions and introductions. Then, the facilitator should present the cases one by one and lead the team in a discussion of each one. This discussion should address supervision and safety needs. Next, the facilitator should direct the conversation toward developing specific recommendations for each case. After this has been done with each case, the facilitator should close the meeting and contact the Level 1 team to provide them with a summary of the recommendations. The facilitator finally creates a full report of the recommendations which is sent to the Level 1 team.

On a side note, when talking about these collaborative teams, many people often wonder if confidentiality and/or consent may play a role. Health Insurance Portability and Accountability Act (HIPPA) and Family Educational Rights and Privacy Act (FERPA) both allow interagency communication without consent if public safety is at risk; however, if the school or district wants additional insulation, it could require parents to sign a Release of Information. Additionally, any person attending a Level 2 meeting should sign a confidentiality waiver before being allowed to attend. That Kenney addresses confidentiality head on is very helpful. In these situations, the child's confidentiality needs to be protected so that they are not inappropriately labeled or ostracized by the community.

The process Kenney describes from the threat assessment to the Level 2 Meeting seems rather long and drawn out; however, chapter eight contains a full case example that explains the process of this intervention strategy from beginning to conclusion. The example follows the case of a nine-year-old third grader named Jennifer. She has generally good behavior, but poor academic performance. She is found in a school bathroom trying to penetrate the vagina of a classmate with her fingers. The school sends Jennifer home for the day and begins the process by determining that a Level 1 meeting is necessary. A full read of the case example is helpful, and anyone interested in learning how this model works in practice should examine this example in its entirety.

In chapter nine, Kenney walks through several unique circumstances that teams may encounter while working with this intervention model. Sometimes, the situations that these teams evaluate are not always straight forward. Team members should avoid pitfalls when thinking about these situations. Furthermore, team members should remember

to remain calm and use common sense. Furthermore, if a particular circumstance is not something the team feels equipped to handle, the team should seek outside resources. Some of the unique circumstances Kenney discusses are masturbation; frequent vaginal infections; children pretending to be vampires, werewolves, witches, or etc.; pedophilia; sexually reactive behavior; psychopaths; sexual behaviors in conjunction with mental illness; sexual behaviors in children on the Autism spectrum; sexual behavior in cognitively impaired children; fire setting; aggressive sexual behavior and violent threats in conjunction with sexual behavior; homosexuality; fetishes; children with gender identity issues; sextings; interest in pornography; and paraphilic behavior (Kenny 2013, pp. 113–126). This chapter is very helpful and contains many circumstances that teams are likely to encounter eventually. Furthermore, if the team ever encountered something not on Kenney's list, the team still may be able to piece together a plan of action from advice Kenney gives about related behaviors.

Chapter 10 moves on from possible situations teams may deal with to other applications of this intervention model. The model described by this book was originally intended for use in an urban school setting for children; however, it can be molded for use in rural settings, college campuses, or for use with adults. Chapter 10 explains how to adjust the model for alternative uses.

Rural settings often suffer a lack of resources; however, the model can be adapted for use in rural settings. For example, threat assessment meetings could occur every month instead of every week and Level 2 meetings could convene only on an as-needed basis. Neighboring rural districts could also work together and establish a team that works with multiple rural communities instead of just one. This allows for a pooling of resources and a more manageable model.

The model could also be workable for college campuses. Level 1 and 2 protocol would have to be examined to make sure that all the components have the same relevance with college students as they do with children. Those that are not relevant should be removed. The Level 2 Team could connect with community agencies in the same way that was recommended in earlier chapters.

Finally, the model could be modeled to address concerning behavior in adults. These teams could track concerns about sexual behavior, identify individuals who intend to harm others, and intervene when necessary. This team could function as part of a regular threat assessment team or it could function separately. The team would still meet on a regular basis and act as a consulting body that provides advice and intervention for concerning adult sexual behaviors. This would have the end result of improving public safety.

Overall, the model Kenney describes for addressing concerning sexual behavior in children could be very effective if it were used properly. It is well laid out, well thought out, and seems to have its bases in specific knowledge of human and sexual development. The most significant concern would be the students' parents—would parents feel that this intervention model labels their child as a sexual deviant, and thus resist the process? Kenney does offer a brief response to concern about parental resistance, but it may be a more concerning potential problem than he addresses. Supervision of children while they are at school would certainly protect other children and the community during school hours, but if parents are unwilling to continue at home, then a significant portion of the child's time is unsupervised; thus, the child still has ample opportunity to victimize.

It also would have been helpful if Kenney had discussed more when law enforcement should get involved. He does say that it would be his recommendation to have law enforcement involved, but then he also states that team members should keep in mind that the team is not an investigatory tool. A concern is that, if the situation were relatively minor, involvement of law enforcement may further distress the parents and cause them to pull away. Certainly if the situation involved physical assault or ongoing sexual harassment, involvement of law enforcement would be necessary; however, if the incident was

limited to two young children kissing on the playground with no apparent harm, involvement of law enforcement may be premature and seem alarming. Likewise, the reality is that involving law enforcement does mean that the team does become an investigatory tool.

Except for addressing the above two points more persuasively, this model effectively strikes a good balance between overreacting and underreacting. It creates a system where concerning behaviors are evaluated, but only those that are truly alarming are likely to be recommended for Level 2 assessment. This creates a situation where the student in question is protected from a system that may be quick to label them as a sexual deviant; however, other children are also protected from the concerning sexual behavior that the student is displaying. It also creates a system that is badly needed given the prevalence of sexual behavior and its developmental significance.

#### **Compliance with Ethical Standards**

**Conflicts of interest** None.

#### **Reference**

- Kenny, W. (2013). *Sexual misconduct in children: An intervention model that works in schools and communities*. Plymouth: Rowman & Littlefield Education.