Will a Revised Code of Practice Change the Practices of Male Teachers in their Interactions with Children?

New Zealand Journal of Teachers' Work, Volume 2, Issue 2, 83-93, 2005

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INTRODUCTION

It is just over 10 years since the Christchurch Civic Creche case unfolded in New Zealand, yet the media furore that accompanied it then, and is resurrected whenever a male teacher is accused of overstepping his professional boundaries, refuses to fade. With Peter Ellis continuing his mission to clear his name and the media continuing to give his case top billing, the vulnerability of male teachers working in primary schools is never far from the spotlight. For male teachers, any allegation of inappropriate conduct usually has devastating effects on their career, health and family (Dekker, 2000; Henderson, 1999). Even if the allegation is false, a question is likely to remain in many people's minds, and the person's future interactions with children are likely to be closely monitored. As in the Ellis case, controversy regarding the accused teacher's innocence has the potential to divide communities, an abhorrent prospect for any school.

The New Zealand Education Institute's (NZEI) *Physical Contact Code of Practice* (1998) that was developed and implemented in the wake of the Peter Ellis case is currently under review. Based on the assumption that any physical contact with children presents a risk to the teacher, the 1998 code directs *all* teachers to 'avoid inappropriate physical contact' and lists 'appropriate contact situations' as those involved in physical education, first aid and physical restraint. The code also directs teachers to remove themselves from children who initiate contact after explaining to them why they are unable to respond. NZEI's position is that any physical contact can be misconstrued and such misinterpretation can lead to anything from discomfort to criminal charges for the teacher.

This hard-line 'hands-off' approach to teachers' physical contact with children, developed to protect teachers and children, has increasingly come under fire by teachers and other educationists who see it offering not so much protection, but a climate of confusion, stress and suspicion leading to gender inequities in teachers' practices and poor gender role-modelling for school children (Farquhar, 2001). A policy designed to address anxiety, the code appears only to have reinforced it. Also, while the code of practice was supposedly written for all teachers, in reality it has generally been seen by teachers and the community as being directed at and appropriate for male teachers, leaving female teachers more likely to offer children physical contact and reassurance when they seek it (Cushman, 1999a; Henderson, 1999).

With these concerns in mind, it seems more than time for NZEI's decision to review the code. The proposal is that the amended code should take a more

realistic approach by sanctioning 'appropriate' physical contact. Rather than the current hands-off approach which specifically states 'with any type of physical contact between staff member and child there is an inherent risk that it can be construed as assault', the new draft guidelines state that physical contact is 'perfectly acceptable' (Ross, 2005). While still warning that certain types of touch may be misconstrued, the new guidelines have an undoubtedly softer approach that recognises a child's need for physical and emotional reassurance and support. Whether this will alter the practices of male teachers is debatable, however, especially if we see those practices not so much as a response to the code of practice as to societal attitudes derived from the media attention surrounding the Peter Ellis and other subsequent high-profile cases, such as John Edgar's (1998) and Michael Neville's (2004) (CHILDForum, 2004).

If we can attribute male teachers' current practices to strict adherence to the code of practice then we would expect those practices to align closely with the directives inherent therein. The purpose of this paper, therefore, is to look at the current practices of male primary school teachers in order to determine how much these practices align with the stand-off/hands-off directives of the code. If, from this investigation, it appears that current practices do closely reflect the code, we might expect that the directives of the revised code would not only result in marked behavioural changes for males but also be heralded as 'a significant and sensible step in combating anxiety over touching children' (Jones, cited in Ross, 2005: 5). We might also expect to see male behaviour more closely approximating the more hands-on behaviour generally demonstrated by female teachers (Cushman, 1999a, 2005; Sargent, 2001). It must be stressed that, while the focus of this paper is on male teachers, the intention is not to suggest that female teachers have carte blanche. The Ellis case was not solely about males and served to change the perception of safe touch for female teachers also.

RELEVANT RESEARCH

Notwithstanding the impact of the code of practice, the media has had a marked effect on males' attitudes towards physical contact with children. Newspaper articles such as 'Sex abuse fears put men off teaching' (Ross, 2003) have doubtless damaged the image of teaching as an attractive career proposition for males. Certainly, this consideration was acting as a deterrent among the over 1,000 Year 13 male students that I interviewed as part of a comprehensive survey about attitudes towards primary school teaching as a career (Cushman, 2000). Just over half of the respondents rated physical contact with children as a 'moderate' or 'extreme' concern influencing their willingness to consider teaching as an occupation. Confirmation of this degree of concern also comes from international research conducted by Balchin (2002), Johnston, McKeown, and McEwen (1999), and Skelton (2003), amongst others. This body of research shows that the issue of physical contact with children and the risk of being accused of child abuse prevents many males from taking up teaching or influences them to leave once there.

Smith (2004) explored the experience of male primary school teachers in Australia and found that attitudes expressed in the media about male primary school teachers have an enormous impact on their experience. Similarly, as Mike Guley, cited in 'Who'd be a male teacher?' (*Rourou,* 2001), observed, 'Male teachers are practically invisible until one of them behaves badly and then they become headline news and on the Holmes Show for three days' (p. 3).

Despite the fact that actual accusation and conviction rates are very low, the extensive media exposure given to the small number of cases where teachers have abused children has created a heightened awareness of this issue not just amongst male teachers but also amongst parents and children (Skelton, 2001).

Teacher education institutions also have likely created a wave of graduates convinced they are 'not to touch'. Male students are warned, for their own protection, to avoid all physical contact with children and are directed to the guidelines set out in the code of practice. The extent to which this advice affects students' attitudes is unclear, particularly for female students, for whom there is a paucity of relevant research, but a survey of graduating male students (Cushman, 1999b) found 59% ranked physical contact with children as of 'extreme concern'.

All teachers know that young children find security in physical contact. Their attempts to hold hands with the teacher, give hugs, and sit on the teacher's knee are generally manifestations of a need for physical touch and security. Males wanting to respond to children with warmth and empathy are generally frightened of repercussions (Cushman, 1999a, 1999b; Cushman, 2005). Cushman's research suggests that contact of a caring nature is generally grounds for suspicion for male but not female teachers, and that female teachers are far more likely than male teachers to engage in such touching.

It is interesting to note that 50 years ago, when the percentage of male primary school teachers hovered around 43%, as compared to 18% in 2005 (Ministry of Education, 2005), the dominant discourse in schools was more didactic, hierarchical and teacher-centred (Smith, 2004). The remote 'hands off' approach was the professional behaviour expected of most teachers. In contrast, the current discourse in primary schools is child-centred and nurturing, with teachers expected to be caring, empathetic and patient. As King (1995) has suggested, male primary school teachers may feel more comfortable with the earlier approaches because they authorised a physical and emotional distance from the children and did not call on male teachers to be so nurturing. King's claim that the social construction of 'primary school teacher' is loaded with features that surround the constructs of 'female' and 'mother' and that 'the relationship between social constructs for primary school teacher and mother are nearly isomorphic in the mind of the culture' (p. 11) still has currency a decade on.

Although there is some research (Ashley, 2002) that claims current effective education does not necessitate physical interactions with children, most of the literature supports the view that physical contact should at least be an option. Some school authorities have even suggested that schools that promote 'no touch' policies are failing in their role (Keen, 2003). While acknowledging that all teachers need to use commonsense, Keen argues that schools have a duty to create an environment that makes physical contact with children an acceptable practice for all teachers.

Sargent (2001) believes that male teachers' practices regarding physical contact with children generally fall into three categories. The first category aligns with Ashley's (2002) stance and reflects the directives in the code of practice. The focus of the teachers in this category is on children's academic needs, reinforcing the notion that men and women have different teaching styles where nurturing is permissible for females but not for males. The second category acknowledges the risk in nurturing children but compensates by allowing male teachers to have physical contact when in public places such as the playground. The third category supports the need for nurturing relationships

as advocated by Farquhar (2001). Here, males are more likely to follow their intuition, becoming close to children and integrating nurturing behaviours into their teaching style. Under the current NZEI code of practice, one would expect that the first option would typify practices demonstrated by most male teachers in New Zealand schools. Under the proposed revised code, the expectation would be for males increasingly to adopt the third approach.

METHOD

Data from two studies conducted with male primary school teachers inform this present investigation. The first study was a survey of 253 randomly selected male primary school teachers in Canterbury schools. The teachers were asked to indicate their level of concern on three issues, one of these being physical contact with children. The 93% response rate to the survey and the fact that most respondents chose to add detailed comments strongly suggest that the focus of the survey was one of high interest and concern for practising teachers.

The response to that survey resulted in a decision to facilitate focus group discussions with 17 practising male primary school teachers so that their views and experiences could be further investigated. Between them, the men represented a wide range of ages, years of teaching experience, management responsibilities within the school, age groups of children taught, and a mix of rural and urban schools and decile levels. The participants varied in age from 26 to 53 years of age, with an average age of 38.8 years. Teaching experience ranged from one year to 31 years, with an average of 12 years. Three of the participants were school principals, but each was a 'teaching principal' with responsibility for his own class as well as for school-wide administration. Each of the focus groups, conducted in an informal atmosphere, involved a one-and-a-half hour semi-structured discussion between three or four of the participating teachers and the facilitator, who used a standardised open-ended question format.

The extent to which the teachers in the two studies saw physical touch as a concern and their comments about how they approached this issue during their daily interactions with their students are presented below in terms of Sargent's (2001) three categories. A fourth category, containing responses that did not fit neatly into the other three, is also given.

RESULTS

In both studies, the vast majority of teachers expressed anxiety and concern in relation to their physical contact with children. Seventy-two percent of the teachers who responded to the survey rated such contact (and the possible ramifications of touching) as of either 'moderate' or 'extreme concern'. Only 5% expressed no concern. Although few teachers in these studies referred specifically to the code of practice, their knowledge of it was evidenced through frequent reference to practices they were 'not allowed' to engage in. Many also commented that societal attitudes, unclear expectations and media coverage relating to male teachers' physical contact with children had influenced their behaviour. One teacher spoke for them all when he said:

> *I think now we are more aware of the dangers because they are in the media a lot. Because they are in the media, it's also a lot easier for someone to plan a campaign against you if they so desired.*

In answer to a direct question, the 17 focus group teachers all said they had been strongly cautioned during their pre-service education 'not to touch', so much so that by the time they were in classrooms of their own, the message was deeply ingrained and a reality of their everyday interactions with children. However, they and the teachers in the survey tended to take different approaches to the issues of touch, as the following categorisation of the teachers' responses shows. Within the categories, verbatim comments from the survey and the focus group interviews are used for illustration.

Category 1. Strictly 'hands off'

Of particular interest was the overriding sense of hopelessness and regret that featured in comments related to the issue of physical contact. One of the survey teachers, for example, wrote:

> *It is sad that I feel I can't put my arms round a child to comfort them the way a female teacher or parent does.*

Another, commenting from his perspective as school principal, echoed his colleague's sentiment:

> *It is SO VERY SAD that I direct male teachers NOT to have physical contact with students or be alone with them. Even if a child just needs a comforting arm, it can't happen or male staff are putting themselves at extreme risk.* (emphasis original)

Equally strong and emotive responses of this nature were evident amongst the focus group teachers.

The majority of teachers in both the survey and the focus groups who had been teaching for some years said, despite having the trust and respect of children, colleagues and parents, they still found even a slight touch in offer of reassurance or affirmation as 'far too risky' (in the words of one). Three of the men went so far as to label their fear a 'paranoia', with one observing:

> *Now everything's really paranoid. I won't put my hand on a kid's shoulder or anything like that.*

Another stated:

> *At the younger level in my school, the girls come up and want to hold your hand. They want the security. I just brush them away.*

Most of the teachers who employed the hands-off approach said they found it particularly hard to explain to the children why they could not touch.

> *They ask why. It's so hard to explain. I just say, 'I can't'.*

The principals among the survey respondents and focus group participants all reported relying on the code of practice by reminding new male staff members of its 'no touch' directive.

Category 2. Public physical contact

While some males engaged in no contact whatsoever, regardless of the situation, for others the stance was relaxed to some extent in public places when a child was injured or distressed.

> *Well, I never touch a kid in the classroom. But, say, I'm in the playground I'll just put a hand on their shoulder, but there's always people around, and you're aware that you're not in a room by yourself with them.*

Other factors, including school ethos, age of teacher, marital status, length of service, the media, and personal beliefs about the needs of the children also seemed to influence teachers' decisions to offer children physical reassurance in public places:

> *I think the length of time you've been in the school and how the community perceives you have a lot to do with it. If they see you as a sort of middle-aged, middle-of-the-road family type whose got his family and all that sort of thing, they don't actually see you as a threat. I've been in the school 10 years, and I can put my hand on a child's shoulder, but I'm still aware I shouldn't be doing it.*

Category 3. Hands on approach

Despite the obstacles and adversities outlined, a small number of the male teachers across both studies had decided to demonstrate an ethic of care and to ground their practices in relationships rather than policies. Their decisions regarding physical contact seemed to be based more on what they felt to be right rather than on what was recommended in the code of practice:

> *When they're upset, I give them a cuddle. One little kid, his parents had just separated. I said, 'They love you and you've got to remember that.' And I gave him a cuddle. How could I not?*

> *I try not to have issues with the touching thing. My kids start coming up and hugging me when it's time to go home. I don't want it to be unnatural, so I put my arm round them and say, 'See you later.' I like that, and I don't feel uncomfortable at all.*

This approach also seemed to be most likely in schools where other teachers modelled it. Among the teachers who were more relaxed about touching, several noted that, as new employees, they had observed all teachers, male and female, using physical reassurance for injured, upset and/or insecure children, and so felt they, too, could adopt similar patterns of interaction:

> *In my school, we've got children who will rush up and swing their arms around you. That's sort of the school we've got. If we've got kids in tears, we don't just stand back and ignore them.*

Category 4. Confusing touch

The recognition of children's needs for support and reassurance and their awareness that these needs may be unmet at home compounded the issue for some of the teachers, who risked touching children but felt distinctly uneasy about doing so. These teachers tended to be working at schools that they reported as promoting, implicitly or explicitly, strictly 'no touching' policies.

> *I wouldn't push them away if they really needed a hug. But I'd feel really uncomfortable and I'd be looking around*.

> *I probably do the wrong thing here, but I've been teaching longer. Especially with the little ones, I will put my arm around them if they're hurt. I know the other day a boy was crying and I put my arm around him and I was thinking at the time, 'This feels natural.' It's hard to stop yourself. How can you go, 'Get away, get away'?*

> *If it's ever openly discussed, it's basically in terms of what you should not do – in other words, an official line. The official line is that you are not alone with a child and you do not touch a child. Nothing official is written down. It's just what you 'should be doing' is the way it's put. Then there's an unofficial practice, and the two don't usually gel terribly well. The official line is quite different from the actual practice that goes on.*

One teacher's comments suggest that he was having difficulty comprehending the dissonance between children's wants and needs and the guidelines under which he worked:

> *Right now, I'm doing the Keeping Ourselves Safe Programme. The children had to discuss different types of touch. Several kids identified times when certain teachers had touched them, comforted them, as good touch. That, I found bizarre. I'm trying to do what I've been advised to – that means no touch. But it doesn't seem to be what the kids want.*

His use of the word 'bizarre' is particularly evocative of how conflicted this particular teacher felt in terms of trying to align his behaviour with the directives of the code.

The current code of practice also specifically states that each school should develop a clear policy statement on professional conduct and teaching practices, including 'teaching practices which prevent staff from being vulnerable to allegations of indecency or child abuse' (NZEI, 1998: 2). However, only one teacher in either study was aware of any proactive stance taken by the school to address the matter with the community. This teacher said that, in his school, a decision had been made to bring the topic to a community meeting. Parents were surveyed regarding their attitudes towards physical contact between children and all teachers. Their positive response confirmed the teachers' predilection to nurture the children. Although not a reflection of a defined school policy on the matter, another teacher reported speaking to a child's parents regarding their child's apparent need for physical reassurance. This ensured the teacher was able to act in the child's interests without the fear of misinterpretation. While contrary to the code of practice, these activities

exemplify that any such deviation requires transparency if teachers are to be protected.

Many of the teachers reported that any formal discussion of the touch issue commonly followed on the heels of headline news regarding allegations of child abuse. This, some said, resulted in further warnings delivered in staff meetings but rarely, if ever, in open and constructive discussion. The majority of teachers were unaware of any written policies in their schools regarding physical contact with children or even the articulation of explicit boundaries to guide new teachers.

DISCUSSION

The combination of three factors – the dominant discourse of nurturance currently upheld in education (King, 1995), a continual media focus on the plight of male teachers, particularly in regard to high profile cases of abuse, and the minority (numerical) status of male teachers in schools – have impacted strongly on societal attitudes regarding males who choose to teach. From the earliest days of their teacher education, the words 'Do not touch' become familiar forewarnings for male teachers. While the final decision on whether to heed this counsel depends on a complex range of factors, the possibility of being accused of child abuse and its attendant implications for one's personal and professional life have become an area of concern for almost every male primary school teacher.

Although there were teachers among the survey respondents and focus group participants who set aside the 'no touch' policies, they were very much a minority. Most teachers chose to endure the concomitant anxiety and humiliation associated with avoidance of touch rather than engage in practices that left them vulnerable. The resultant hands-off behaviour is, of course, the very behaviour advocated in the code of practice. However, adherence to these NZEI guidelines was seen by some teachers to be invoking 'paranoia', and there was fear that the children themselves might develop an unreasonable suspicion of male teachers. Despite the suggestion in the code of practice that teachers explain why they cannot respond to physical contact, most males did not heed this advice, or were unaware of it. As one pointed out, how, exactly, does a male teacher explain to children that because of his gender he is untouchable?

The refusal or reluctance of many of the teachers in both the survey and the focus groups to engage in practices requiring physical contact with children also tends to set male teachers apart from female teachers. As previously mentioned, women teachers are generally relaxed about physical contact with students. The concern that children might come to see the 'no touch' stance as specific to male teachers and perhaps, from there, to males in general, is one we need to take seriously.

Although the principals in this study said they advised their male teachers not to touch (whether they similarly advised their female staff is uncertain), many of the participating teachers said either they received no such guidance or were given conflicting messages about how to behave. When no advice is given to new staff, there seems to be an expectation that all teachers will naturally adhere to the code or use 'common sense' whenever they are faced with the issue of physical contact during their teaching day. And when teachers are told to do one thing and then witness a markedly different reality in the school

environment, confusion as to how to behave is likely to be their foremost response.

While the protection afforded teacher and child might justify rigid adherence to the NZEI guidelines, it obviously does little to enhance one's working conditions, relationships with colleagues and self-esteem. In conjunction with the guidelines, it would appear that societal attitudes, derived from the media fascination for cases involving abuse of children, has led to guardedness by both schools and parents regarding male teachers. Regardless of whether suspicions are made explicit or remain implicit, they are likely to impact enormously on the lives of male primary school teachers, especially in terms of making them feel they are under constant surveillance.

In general, the findings from the two studies suggest that male teachers tend to develop a 'personal' code of practice with which they feel comfortable and that may or may not reflect the guidelines inherent in the code. These practices, evident from the participants' comments, reflect a range of attitudes and behaviours in regards to physical contact, from no touching on any occasion to the delivery of hugs on demand. Those teachers who were more willing to modify or set aside the 'no touch' policy tended to be the older teachers – family men who had worked long enough in the school community to earn their community's trust and respect. However, even these men generally reported that their actions involving physical contact were 'compensatory' and limited to the playground and other public venues.

The lack of consistency demonstrated in these studies between what is said and what is done, between guidelines and expectations for male and female teachers, and between what children are perceived to need and what they get, adds up to a picture of discrepancies, inequities and confusion. That most teachers reported a lack of formal school policy or debate on the subject of touch is perhaps symptomatic of this state of affairs and/or a contributor to it.

The revised code of practice promises a more realistic approach to the issue of physical contact by acknowledging that at times physical contact with children may be appropriate and even advisable. However, based on the results of these studies it seems reasonable to suggest that such changes to the code are likely only to affirm the stance of those teachers previously reconciled to this position unless societal attitudes and media commentary also change. For the majority of male teachers, the response to the issue of physical touch seems more likely to have evolved from having internalised not only the directives of the code but also other factors, most notably the messages they receive from society. As such, they may find themselves unable to set the directives of a revised code apart from those messages and so continue to act as they always have or to become further confused about what they should do. It is also possible that teachers who have had confusing or uncomfortable experiences relating to physical contact with the youngsters they teach may find the removal of the stand-off/hands-off policy akin to removal of a security blanket, leaving them in an even more vulnerable position.

However, if the revised code of practice is accompanied by professional development opportunities that allow for open and honest debate and discussion, its potential to influence positive and constructive change in the way teachers interact with children will be greatly enhanced.

Collaboration between school, society and the media will also be essential. Until these agencies listen to the experiences, disadvantages and problems that male primary school teachers presently face, it will not be

possible to align the prevailing societal and media discourses about them with the directives of the revised code.

CONCLUSION

The physical contact practices of male teachers in primary schools do not necessarily reflect the directives in the code of practice. Rather, the influences on male teachers' relationships with their students are complex and multifaceted. They tend to be derived more from the high media profile given to cases of child abuse, which directly impact on societal attitudes and thereby indirectly on any profession where nurturance is likely to be a consideration in the relationships between males and children. For example, it is highly unlikely that even a doctor would risk being alone with a child today. Furthermore, aspects such as the established school ethos, and the age, marital status, length of community service and personality of the teacher all contribute to the likelihood of male teachers engaging in physical contact. Any strategy designed to address the problems and disadvantages faced by male primary school teachers is likely to be challenging, as most practices appear to stem from entwined societal and media attitudes that are extremely difficult to counteract.

With the majority of our schools at least implicitly suggesting that teachers follow the directives inherent in the current code, any change in line with the proposed approach must be positive for children and teachers. With adequate support structures, the importance of which cannot be sufficiently stressed, the introduction of the new code of practice has the potential to redefine the current popular school ethos in which the interactions of males and children are couched in suspicion, confusion and stress. It will be a sad day if this opportunity goes unrecognised.

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Endnote: I would like to thank all the males who so willingly contributed to the survey and focus group discussions. My thanks also to Paula Wagemaker for her invaluable support and guidance in editing this paper.

Peer Review Information

Submitted for publication August 31, 2005
Final revision received December 8, 2005
Accepted December 22, 2005

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New Zealand Journal of Teachers' Work, Volume 2, Issue 2, 2005

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