The Prevention of Gender-Based Violence with in the Ecuadorian Legal Framework: Teachers' Perceptions of the Code for Children and Adolescents

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Abstract

Gender-based violence against children and adolescents remains a critical concern worldwide, particularly in Latin America, where the prevalence of various forms of violence is alarmingly high. In Ecuador, despite having a robust legal framework that includes the Code for Children and Adolescents and the Organic Law to Prevent and Eradicate Violence Against Women, the effective implementation of preventive measures in educational settings faces significant challenges. This study aims to explore the perceptions of Ecuadorian basic education teachers regarding the Code for Children and Adolescents as a normative tool to prevent gender-based violence in schools. Through a qualitative design with a phenomenological and interpretative approach, data were collected from 48 teachers in public and private schools in Cuenca, Ecuador. Focus groups served as the primary method for collecting insights into teachers' knowledge, understanding, and use of the legal framework. The findings reveal fragmented and experiential knowledge of this code, conceptual gaps in understanding gender-based violence, and limited institutional support for its application. Teachers acknowledge their role as key agents of change, yet they express uncertainty due to a lack of training and clear protocols. The study underscores the need for accessible pedagogical resources, systematic training in gender and rights, and the institutional reinforcement of that code as an effective tool for preventing school-related gender-based violence.

Keywords: Gender, violence, teacher, perceptions, Code for Children and Adolescents, Ecuador.

1. Introducción

Gender-based violence against children and adolescents remains a deeply concerning global issue, with far-reaching consequences for the development and overall well-being of those affected. Recent studies have shown that in Latin America, a considerable proportion of minors have experienced some form of gender-based violence. This reality highlights the urgent need to address the problem through comprehensive strategies that include education as a central pillar (UNICEF, 2022; Bott et al., 2021).

In Latin America and the Caribbean, gender-based violence against children and adolescents remains a deeply troubling issue with profound consequences for their development and well-being. Recent data reveal that the region ranks third globally in terms of the prevalence of childhood sexual violence. Moreover, it is estimated that more than one in six girls has experienced rape or sexual assault during her childhood. These figures underscore the urgent need for comprehensive strategies that address both the root causes and long-term consequences of gender-based violence among this particularly vulnerable population (UNICEF, 2021).

Thus, gender-based violence is defined as any harmful act directed at individuals or groups based on their gender (Yount et al., 2023). It encompasses a range of expressions, including physical, sexual, psychological, and economic violence. According to the World Health Organization (2017), this type of violence constitutes a violation of human rights and a form of discrimination that obstructs progress toward gender equality.

The school environment is not exempt from manifestations of gender-based violence (Parkes et al., 2020). Research has shown that a significant number of students have been victims of some form of violence within educational settings, which negatively impacts their academic performance and emotional well-being (UNESCO, 2023). In this context, teachers play a vital role as agents of change, given their privileged position to identify signs of violence, provide support to victims, and promote a culture of respect and equality within the classroom (Spear, 2019).

However, various studies have highlighted that, although educators recognize the importance of their role in addressing gender-based violence, they face numerous challenges that limit their effectiveness. For instance, a study conducted in Burkina Faso revealed that teachers perceive themselves as potential change-makers but often lack the knowledge, protection, and training required to effectively fulfill this role. Additionally, factors such as insecurity when reporting incidents and peer pressure to maintain solidarity among colleagues further complicate the reporting of gender-based violence cases (Spear, 2019).

Similarly, a study conducted in Canada examined the perceptions of secondary school teachers who have taught about gender-based violence in their classrooms. The findings indicate that while educators are willing to engage with these topics, they often lack adequate resources and specific training, which may hinder the effectiveness of their interventions (Keddie, 2022).

In Ecuador, the Code for Children and Adolescents (Código de la Niñez y Adolescencia) establishes the fundamental legal framework for the comprehensive protection of the rights of children and adolescents. It recognizes them as full rights holders and guarantees their integral development under conditions of equality and non-discrimination. This legal body includes specific provisions to prevent and sanction gender-based violence, such as the prohibition of corporal and humiliating punishment in educational settings, and the criminalization of sexual abuse against minors—even in cases where apparent consent may exist. Furthermore, the

legislation mandates shared responsibility among the State, families, and society to safeguard the physical, psychological, emotional, and sexual integrity of children and adolescents (Congreso Nacional, 2003).

In addition, the Comprehensive Organic Law to Prevent and Eradicate Violence against Women reinforces the protection of girls and adolescent females through public policies focused on prevention, care, and reparation for victims (Asamblea Nacional del Ecuador, 2018). However, despite this robust legal framework, statistics show that violence against minors continues to be prevalent in the country. This situation presents significant challenges for effective implementation and calls for the strengthening of prevention and protection mechanisms across all settings—particularly within educational environments (UNICEF, 2020; Instituto Nacional de Estadística y Censos, 2019).

At the international level, various studies have explored teachers' awareness and preparedness regarding the legal frameworks aimed at preventing gender-based violence. Research conducted in different contexts reveals that, although educators recognize the importance of addressing gender-based violence in schools, they often lack adequate training and a thorough understanding of relevant policies and legislation. These limitations constrain their capacity to intervene effectively. The findings highlight the urgent need to enhance teacher education on gender and rights and to ensure that education policies are clear and accessible to all educational professionals (Marcus, 2023; UNESCO, 2022; UNESCO, 2023). In light of the above, the aim of the present study is to analyze the perceptions of basic education teachers regarding the Code for Children and Adolescents as a normative tool for preventing gender-based violence in Ecuadorian school settings.

The fundamental legal framework for the comprehensive protection of children's and adolescents' rights recognizes them fully as rights holders, ensuring their holistic development under conditions of equality and non-discrimination. This legal framework provides specific provisions designed to prevent and sanction gender-based violence. It explicitly prohibits the use of physical and humiliating punishment in educational settings and defines sexual abuse against minors as a crime, even in cases where apparent consent exists. Furthermore, the legislation emphasizes the joint responsibility of the state, family, and society in safeguarding children's physical, psychological, emotional, and sexual integrity (Congreso Nacional del Ecuador, 2003). Complementarily, the Organic Law for Preventing and Eradicating Violence Against Women strengthens the protection of girls and adolescent females through public policies aimed at preventing violence, offering victim support, and facilitating reparations (Asamblea Nacional del Ecuador, 2018).

However, despite this robust legal framework, statistics consistently show that violence against minors remains prevalent in Ecuador. This persistence underscores substantial challenges in effectively implementing existing laws, necessitating stronger preventive and protective

mechanisms across all contexts—particularly within educational settings (UNICEF, 2020; Instituto Nacional de Estadística y Censos, 2019).

At the international level, various studies have examined teachers' awareness and preparedness regarding regulations intended to prevent gender-based violence. For instance, research conducted across diverse contexts indicates that while educators acknowledge the significance of addressing gender-based violence in schools, they frequently lack sufficient training and a comprehensive understanding of relevant policies and legislation. Such gaps significantly limit their ability to intervene effectively. These findings underscore the urgent need to enhance teacher education on gender and rights, as well as to ensure that educational policies are clear and easily accessible to all education professionals (Marcus, 2023; UNESCO, 2022; UNESCO, 2023).

Given the above, this study aims to analyze basic education teachers' perceptions regarding the Code for Children and Adolescents as a normative tool for preventing gender-based violence within Ecuadorian school settings.

2. Methodology

This study employed a qualitative approach using a phenomenological and interpretative design, aimed at capturing the specific characteristics of the educational reality under study, through the lived experiences of its participants (Jiménez & Valle, 2018). A total of 48 teachers participated, drawn from three public schools and three private schools located in Cuenca, Ecuador. The majority (37) were female, with an average age of 40.6 years and a mean professional experience of 15 years in education.

The primary data collection method was focus groups. A discussion guide consisting of 15 questions was designed by the research team and validated by a panel of three qualitative research specialists and three gender experts. The guide sought to explore the teachers' perceptions of key aspects included in Ecuador's current Code for Children and Adolescents. Regarding ethical considerations, all participants signed informed consent forms and received personal copies. The focus group sessions were recorded in audio format only, to ensure participant anonymity.

Prior to conducting the study, the directors of the six educational institutions were contacted. After clearly presenting the objectives of the research, their authorization was requested. Once approval was granted, recruitment of the 48 teacher participants began. Teachers received and signed the informed consent forms, and dates for the group meetings were scheduled, which subsequently took place in October 2024.

Each focus group session followed a structured format. It began by reading aloud the articles from the Code for Children and Adolescents specifically related to gender-based violence prevention (articles: 6, 41, 68, and 79) (Congreso Nacional del Ecuador, 2003). Afterward, the participants engaged in guided discussions based on the prepared questions. Six sessions were

conducted, one at each participating school. Data was collected through audio recordings and observational notes. Later, the recorded discussions were transcribed verbatim using Google Docs.

To conduct a transcendental phenomenological reduction—aimed at establishing general characteristics concerning teachers' perceptions of the legal document—the collected information was analyzed to identify emergent codes based on participants' responses (Navarro, 2021). Using a repetition-scrutiny technique (identifying recurring themes across participant responses), coding was performed in both deductive and inductive manners, each following three stages (Hernández-Sampieri, 2018):

- 1. Open coding: Transcripts were read multiple times to detect repeated themes that could be grouped into single categories.
- 2. Axial coding: Relevant categories associated with each initial code were identified, facilitating preliminary categorization.
- 3. Selective coding: Central categories were established to comprehensively explain the studied phenomenon.

To ensure methodological rigor, the analysis was independently conducted by four researchers (investigator triangulation) (Hernández-Sampieri, 2018). After axial coding was completed, the researchers compared their findings and resolved discrepancies through consensus discussions. In instances of significant disagreement, a fifth researcher intervened to mediate and achieve a final agreement. Following this, selective coding took place, after which the comparison and consensus process among researchers was repeated (Hernández-Sampieri, 2018).

3. Results and Discussion

Following an inductive analysis of teachers' perceptions of the Code for Children and Adolescents, four emergent categories were identified:

- a. General knowledge of the Code for Children and Adolescents.
- b. Perceptions of gender-based violence.
- c. Applicability of the Code regarding gender-based violence.
- d. Teacher roles and suggestions for improvement.

Below is a detailed presentation and discussion of findings by each category.

Category A: General Knowledge of the Code for Children and Adolescents

Results from the focus groups revealed that teachers' knowledge of the Code for Children and Adolescents is fragmented, superficial, and predominantly acquired through practical experience rather than systematic training. Although all participants acknowledged being

aware of the Code's existence as a protective legal framework for children and adolescents, most admitted to not having thoroughly read or fully understood it. This perception was consistent among teachers from both public and private schools. As one participant from Group 4 stated, "We've heard about it, but honestly, we don't know it deeply. We only check it when problems arise," highlighting a reactive rather than preventive use of the Code.

Regarding training, none of the participants reported having received formal or comprehensive instruction on the Code during their university education. Their exposure had mostly been limited to occasional workshops or talks delivered by NGOs or within certain educational institutions. Private school teachers reported slightly better access to these supplementary training opportunities, yet a common gap was noted: "At university, it was only briefly mentioned; we weren't taught how to apply it practically" (Group 3).

When asked about the most recognized aspects of the Code, teachers primarily referenced the prohibition of physical and psychological punishment, as well as articles regarding personal integrity and sexual abuse. However, their understanding remained vague, with many unable to precisely identify specific articles or practical applications. One teacher admitted, "There's an article about mistreatment, but I don't know exactly which one. I know we can't yell or hit, but I don't know clearly what to do if it happens" (Group 5).

Overall, participants viewed the Code positively for its protective intent but considered it inaccessible due to its legal language, which complicated practical use in educational settings. Teachers underscored the need for pedagogically oriented materials, as expressed by one participant from Group 2: "We know it's important, but it feels like it's made for lawyers. It would be helpful to have a guide specifically for teachers."

The finding that teachers have fragmented and superficial knowledge of the Code, mainly gained through experience rather than structured training, aligns with recent evidence highlighting gaps in teacher preparation regarding child protection policies. Studies such as Walsh et al. (2019) indicate that initial teacher education programs rarely include explicit content on children's rights and violence prevention, leading educators to feel uncertain when confronting real-life classroom situations.

The absence of formal training on this topic is not unique to Ecuador. International research indicates that teachers commonly manage these issues through trial and error, guided by personal experiences or informal advice from colleagues and school authorities (Sánchez & Márquez, 2024). This unsystematic legal and rights training leads teachers to feel unsure about practical implementation, as evidenced by statements like, "We don't know what to do if something happens" or "We're unclear about who to turn to."

Additionally, the widespread perception that the Code's language is overly complex and not user-friendly aligns with García and Solorza's (2020) argument that legal frameworks require pedagogical translation strategies to be effectively applied by educators. Participants echoed

this sentiment, requesting adapted materials, explanatory guidelines, and clear protocols for confidently applying the Code.

Finally, the shared sentiment among teachers from both public and private institutions—that the Code holds protective value but is operationally distant—highlights a gap between legal frameworks and teachers' practical capacity to implement them. UNGEI (2019) emphasizes that strengthening continuous training on children's rights and gender-based violence not only improves responses to risky situations but also fosters safer, more inclusive, and equitable school environments.

Category B: Perceptions of Gender-Based Violence

Participants acknowledged the presence of gender-based violence in school settings but primarily associated it with psychological, symbolic, and verbal expressions, such as stereotypes and enforced gender roles. One teacher illustrated this by saying, "Sometimes it's normalized that boys say, 'that's for girls' or that girls can't play soccer" (Group 2), demonstrating how daily interactions reproduce gender violence.

Teachers from private schools exhibited greater familiarity with concepts such as gender identity and inclusive language, whereas public school teachers, especially in rural areas, emphasized experiences with severe cases of physical or sexual violence. One teacher stated, "We've had to handle cases of harassment towards girls... and we don't always know how to act" (Group 4).

It became apparent that, despite expressing concern, many teachers rely heavily on intuition due to a lack of clear concepts or practical tools. Some expressed uncertainty about identifying gender-based violence versus simple conflicts: "We know violence occurs, but sometimes we can't tell if it's about gender, age, or personality" (Group 6).

This limited understanding is consistent with studies suggesting that teachers, despite acknowledging gender-based violence, often lack deep comprehension of its varied forms, complicating effective identification and response (Gamboa & Muñoz, 2017). The observed disparity in conceptual familiarity between private and public school teachers underscores uneven access to resources and training, highlighting the critical need for targeted gender education training for all educators (Pliogou et al., 2024).

Category C: Applicability of the Code in Addressing Gender-Based Violence: Teachers value the Code for Children and Adolescents as a significant legal framework but report considerable difficulties applying it concretely in gender-based violence situations at schools. Most teachers cited unclear procedures and uncertainty about reporting routes. One participant from Group 6 expressed, "We don't know if we should report to the DECE or directly to the Ministry, and meanwhile, what do we do with the family or the student?"

Private schools reported better-defined internal protocols, whereas public schools frequently operated without established guidelines: "We have no protocol; everyone reacts however they think is best" (Group 5). Although key articles from the Code are recognized, teachers feel the document lacks concrete intervention tools, fostering uncertainty: "Sometimes we don't act because we don't know if we're doing the right thing or if we'll get in trouble" (Group 3).

Participants unanimously called for complementary pedagogical materials, practical guidelines, and training to help utilize the Code proactively rather than reactively. This aligns with previous findings that without clear tools and training, normative frameworks lose practical applicability (Martínez-Lalangui, 2024).

Category D: Teacher Roles and Suggestions for Improvement

Teachers acknowledge their critical role in preventing gender-based violence, emphasizing their close relationships with students as essential in identifying risks. However, they also express significant insecurity and inadequate institutional support when intervening: "We want to help, but we're unsure if our actions are correct or might have legal consequences" (Group 4).

Participants strongly advocated for continuous, practical, and contextualized training, requesting realistic case-based workshops rather than theoretical sessions alone. They highlighted the importance of practical guides, clear protocols, and pedagogical materials adapted to their classrooms. Institutional support and fostering a school culture grounded in respect, co-responsibility, and equity were also highlighted as essential.

This recognition aligns with research emphasizing that empowering teachers through evidence-based training significantly enhances their confidence and practical decision-making capacities (Alzaga et al., 2025). A systemic institutional approach is vital, ensuring that teacher support is both normative and operational, reducing feelings of isolation and uncertainty (Yang et al., 2021).

Ultimately, preventing gender-based violence demands collaboration among educators, families, and administrators. This collaborative vision is widely supported by literature underscoring community-wide responsibility as a cornerstone for creating safer, more equitable schools (UNESCO, 2017).

In summary, while teachers play a crucial role, effective prevention of gender-based violence requires continuous training, practical resources, clear institutional protocols, and a supportive, equitable school culture.

Conclusions

The findings reveal that, although Ecuadorian basic education teachers recognize the importance of the Code for Children and Adolescents as a legal framework aimed at protecting children and adolescents, substantial limitations remain regarding their knowledge.

understanding, and practical application—particularly concerning the prevention of gender-based violence within the school setting.

First, teachers display fragmented and predominantly experiential knowledge of the Code for Children and Adolescents, significantly limiting its preventive potential and restricting its use primarily as a punishing tool. This situation stems from the lack of systematic training, both during initial teacher education and in-service professional development, thus hindering educators from critically internalizing the legal framework.

Second, although teachers identify various forms of gender-based violence occurring in school environments—ranging from symbolic to physical forms—their capacity to effectively address these issues is impeded by conceptual and methodological gaps, as well as the absence of clearly defined intervention protocols. Such institutional weaknesses generate uncertainty, fear of retaliation, and feelings of professional vulnerability among educators.

Additionally, while teachers appreciate the protective intention behind the Code, they perceive it as disconnected from their daily educational practices due to the lack of accessible operational tools. Teachers call for contextually relevant pedagogical materials, clearly defined intervention protocols, and stronger institutional support. These demands highlight a significant gap between the existing legal framework and the practical realities within schools. Lastly, teachers express strong willingness to actively participate in preventing gender-based violence, provided they receive adequate institutional support. Proposed improvements include integrating specialized gender and rights education into teacher-training curricula, fostering a school culture of shared responsibility, and developing comprehensive public policies to ensure effective implementation of the current legal framework.

This study provides critical evidence highlighting the tensions between policy, teacher training, and everyday school practice. It underscores the urgency of rethinking educational policy approaches to position teachers as key actors in safeguarding children's rights through critical, committed, and transformative perspectives.

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