

## **INFORMATION ON SEXUAL HARASSMENT**

**Sexual harassment:** unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature in which submission to or rejection of such conduct explicitly or implicitly affects an individual's work or school performance or creates an intimidating, hostile, or offensive work or school environment.

**TITLE IX** protects students from unlawful sexual harassment in all of a school's programs or activities, whether they take place in the facilities of the school, on a school bus, at a class or training program sponsored by the school at another location, or elsewhere. Title IX protects both male and female students from sexual harassment, regardless of who the harasser is.

### **Types of Sexual Harassment:**

1. **Quid pro quo-** When a perpetrator makes conditions of employment contingent on the victim providing sexual favors. This type of harassment is less common.
2. **Hostile environment-** When unwelcome, severe and persistent sexual conduct on the part of a perpetrator creates an uncomfortable and hostile environment (e.g., jokes, lewd postures, leering, inappropriate touching, rape, etc.). This type of harassment constitutes up to 95% of all sexual harassment cases.

### **Sexual harassment can occur in a variety of circumstances**

- Survivor and harasser do not have to be of different genders; both can be men, both women, or they can be different genders.
- The harasser can be a student, teacher, supervisor, a co-worker, or a non-employee.
- The survivor does not have to be the person that is directly harassed. It can be anyone affected by the offensive conduct.
- The harasser's conduct must be unwelcome.

### **Examples:**

- Sexual advances
- Touching of a sexual nature
- Graffiti of a sexual nature (bathroom walls)
- Displaying or distributing of sexually explicit drawings, pictures and written materials
- Sexual gestures
- Sexual comments about body parts or "dirty" jokes
- Pressure for sexual favors
- Touching oneself sexually or talking about one's sexual activity in front of others
- Spreading rumors about or rating other students as to sexual activity or performance.

Regardless of which type of harassment occurs, a school (or workplace) must take immediate and appropriate steps to stop it and prevent it from happening again. The judgment and common sense of teachers and administrators are important elements of any response. However, the school is responsible for taking all reasonable steps to ensure a safe learning environment. Under federal law, a school is required to have a policy against sex discrimination and notify employees, students, and elementary and secondary school parents of the policy. A policy against sex discrimination, particularly one that specifically addresses sexual harassment, is an extremely important method for preventing sexual

harassment. Such a policy lets students, parents, and employees know that sexual harassment will not be tolerated.

*If a school does not have a sexual harassment policy in place, students (and/or parents) can meet with the principal, dean, or other administrator to ask that he or she develop one. The students should remind the school official that the school has an obligation under the law to stop sexual harassment.*

**A school is also required** to adopt and publish grievance procedures for resolving sex discrimination complaints, including complaints of sexual harassment. Good procedures provide an effective means for promptly and appropriately responding to sexual harassment complaints. Finally, a school is required to have at least one employee responsible for coordinating efforts to comply with Title IX.

**Not all physical conduct would be considered sexual in nature.** Some examples are a high school athletic coach hugging a student who made a goal, a kindergarten teacher's consoling hug for a child with a skinned knee, or one student's demonstration of a sports move requiring contact with another student.

**Q: What steps can a school take to prevent sexual harassment?**

**A: The best way for a school to deal with sexual harassment** is to prevent it from occurring. A school may take a number of steps to prevent harassment:

- Develop and publicize a sexual harassment policy that clearly states sexual harassment will not be tolerated and that explains what types of conduct will be considered sexual harassment
- Develop and publicize a specific grievance procedure for resolving complaints of sexual harassment
- Develop methods to inform new administrators, teachers, guidance counselors, staff, and students of the school's sexual harassment policy and grievance procedure
- Conduct periodic sexual harassment awareness training for all school staff, including administrators, teachers, and guidance counselors
- Conduct periodic age-appropriate sexual harassment awareness training for students
- Establish discussion groups for both male and female students where students can talk about what sexual harassment is and how to respond to it in the school setting
- Survey students to find out whether any sexual harassment is occurring at the school
- Conduct periodic sexual harassment awareness training for parents of elementary and secondary students
- Work together with parents and students to develop and implement age-appropriate, effective measures for addressing sexual harassment.

Adoption of strong preventive measures is often the best way to confront the serious problem of sexual harassment. In addition, the steps described above may also be useful in responding to sexual harassment once it has occurred to ensure that it does not happen again. (US Dept of Education). Day One has developed a toolkit for schools to address education and policies regarding sexual harassment. (Toolkit pdf)

**What is the difference between Flirting and Sexual Harassment?**

<p><b>Flirting</b> is any sexual attention or behavior that:</p> <ul style="list-style-type: none"> <li>• is wanted by all involved</li> <li>• feels good to all involved</li> <li>• is flattering to all involved</li> <li>• is reciprocated by all involved</li> <li>• is legal</li> </ul>	<p><b>Sexual Harassment</b> is any sexual attention or behavior that:</p> <ul style="list-style-type: none"> <li>• is unwanted by some</li> <li>• feels uncomfortable to some</li> <li>• is degrading or humiliating to some</li> <li>• is one sided</li> <li>• is illegal</li> </ul>
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**What to do if you are being harassed:**

It is important to do something! Ignoring this behavior usually does not work.

You can:

- Tell the harasser you want the behavior to stop.
- Have a friend of yours, or a friend of the harasser's, help you.
- Get someone in authority to help you. Tell a teacher or supervisor. If the person you tell does not help, keep telling. If the harassment is happening at school or work, a person in authority must respond, or they can be charged with sexual harassment also.

**Questions to help you identify if YOU are displaying sexually harassing behavior:**

- Would you want your behavior to appear on TV?
- Is what you are saying intended to make the other person feel good, or to make them feel embarrassed, uncomfortable, scared, or threatened?
- Is it something you would say in front of your parents, the principal, or other people you respect?
- Is it something you would want said or done to your mother, girlfriend, sister, etc.?
- Is there a difference between you and this person - do you have some power over this person?  
(Physical size, social status, employer, teacher)