

Sexual Harassment in the Schools

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By Susan Strauss



Incident: Groups of boys, sometimes as many as 30, greeted the girl at the front door of the school where they would accost her with sexually graphic remarks about her breasts. Throughout the day in the hallways, the boys harassed the girl with mooring sounds.

Incident: At their high school's annual homecoming pepfest, the boys in the lettermen's club were dressed in their usual attire for the event – tight short shorts, T-shirts cropped at the midriff and obscene labels hanging in front of their genitals. As the music began, the boys danced onto the gym floor gyrating and thrusting their hips suggestively as students, faculty and parents looked on.

Incident: A list of "The 25 Most F---able Girls" was posted on a high school's bathroom wall and circulated among students. In vile language, the list described the girls' genitals and the type of sexual behavior each would enjoy, including being tied down.

Incident: While showering after gym class, a sophomore boy was subjected to lewd comments regarding the size of his penis while classmates tried to pinch his buttocks.

Incident: A high school teacher was discovered to be having sex with a teenage girl in his class.

Unbelievable, you say? Sadly, each of these incidents actually occurred. The truth is, sexual harassment is a very real experience for students in America's high schools. Kids are learning about the realities of sexual harassment in their schools. They're learning about it experientially, as victims and harassers. They're learning about it by how their schools address – or don't address – the problem. They're also learning about it at after-school jobs, by listening to the radio and TV and by observing adults.

We hear a great deal about the problem of sexual harassment in the workplace, but very little attention has been given to the problem of sexual harassment in our secondary schools. As a result, schools are not, for the most part, taking the necessary steps to reduce incidents of sexual harassment.

The Law

Sexual harassment is against the law. It is illegal in the workplace under the Federal Civil Rights Act, Title VII, and in the schools under the Civil Rights Act, Title IX. It is also illegal under state human rights statutes and may also be a criminal offense under state and local assault and child abuse laws.

Students who have been sexually harassed at school are bringing cases against their school districts through the Office of Civil Rights and state Human Rights Departments, and they're winning. Here's what has happened in incidents like those described at the beginning of this article:

The parents of a Petaluma, California teenager who was harassed about her breasts (*first incident on page one*), filed a complaint against the high school for failure to take action when their daughter was repeatedly subjected to sexually graphic and negative verbal assaults by male classmates. They pursued the case through the federal Office of Civil Rights (Title IX), and in 1992, the girl was awarded \$20,000 in damages from her high school.

The lewd pepfest skits (*second incident on page one*) continued to be held, despite protests by teachers to the high school principal. Eventually, the offensive elements of the skits were ended when the possibility of a lawsuit loomed.

The Minnesota Department of Human Rights ruled that activities such as the "F-----" list (*third incident on page one*) create ".....an offensive atmosphere that promotes sexual harassment in general and in the school's programs and activities." The Department said the high school failed to take appropriate action in dealing with the incident. A complaint brought by one of the girls on this list (who had been subjected to other sexual harassment as well) had not yet been settled at the time of this article's publication. ***In 1993 she settled her sexual harassment complaint, through the Minnesota Department of Human Rights, for \$40,000 plus requiring sexual harassment training of students and staff, multiple changes in the school's policy, and numerous other conditions.***

In 1991, another teenager in Duluth, Minnesota, whose name was among the sexually degrading graffiti on the boys' bathroom wall at her school, was awarded a \$15,000 cash settlement from the school for emotional damages as a result of sexual harassment. Her parents filed charges with the Minnesota Department of Human Rights after the school failed to remove the graffiti.

The case of a Georgia teenager's charge of sexual harassment and abuse by her teacher went to the U.S. Supreme Court, which ruled in February 1992, that students can sue their schools and school officials for monetary damages if they have been victims of sex discrimination. This was a landmark case that opened the door to legal recourse for student victims of sexual discrimination or harassment.

In January 1993, the Supreme Court let stand a lower court ruling that two students had no federal case against the school where they were sexually assaulted. However, the student attackers in this case were convicted of indecent assault charges. Legal experts say that this case doesn't affect the landmark ruling described above or Title IX law.

The Environment

Many students report that sexual harassment is the norm in their schools; that it is so widespread and accepted, that many students don't even realize they are victims. If the school culture includes tacit approval of sexual harassment (a situation that may exist if there is no policy, monitoring of behavior and adherence to the policy, training and follow-through), then even students who are not direct targets of a sexual harassment incident may be victimized. This is true especially if this atmosphere increases their sense of vulnerability because they view the school as an unsafe, hostile, intimidating and discriminatory place.

According to a study conducted in a Minnesota secondary vocational center serving four school districts in a seven county metropolitan area, 50% of the girls had been sexually harassed at school, and 30% had been sexually harassed at work. The study focused on female students, as only one male student out of 130 males acknowledged being a victim of sexual harassment.

Teens who have been subjected to sexual harassment in school, report effects similar to those of rape victims – anger, fear, powerlessness, shame and self-blame, loss of self-esteem, guilt, confusion, depression, embarrassment.

The majority of the reported harassment occurred in the classroom (68%). The second most common locale was the hallway (66%). Considerably less harassment was reported during school activities, on the bus, after or before school.

The types of sexual harassment most commonly reported by students mirrored those most often seen in the work place: leers, remarks, name-calling and gestures. However, 59% of the girls reported being touched in a sexually offensive manner, and 59% of the harassment was done by peers. Teachers did 30% of the harassment, administrators did 9% of harassment and other school staff did 2%.

Most of the teens stated they ignored the harassing because they "didn't want to make waves", were afraid others would think they were "making a big deal out of nothing", or that it "wouldn't do any good".

Policy Crisis

When informed of sexual harassment occurrences in their schools, administrators often fail to take effective action. They may deny the existence of sexual harassment or excuse it with phrases such as "boys will be boys", or "it's just emerging adolescent sexuality" so "let them have their fun".

This attitude may be the result of societal desensitization. One only need turn on the TV, listen to the radio or some recorded music, or open magazines to see and hear women objectified, demeaned and even beaten, raped and killed. Studies show that repeated exposure to violence and pornography tends to desensitize the viewer and allow a higher degree of acceptance of behavior that would traditionally be considered inappropriate. Following a newspaper article and angry letters to the editor regarding a sexual harassment case in one school district, two principals responded with a letter to the editor in which they wrote that sexual harassment was not wide spread in the schools. They said “only four” members of their staffs had ever witnessed a “spiking” incident (a sexual assault, where one student’s pants are forcibly pulled down by others).

How many such incidents need to occur before they are no longer viewed as “only”? If those assaults had been racially – rather than sexually – motivated, would the response have been “only four”?

The principals went on to state that “even though our students know this (behavior is not okay), a few will continue to de-pants others just as some of us will continue to exceed the speed limit when no cops are around....”. They concluded by identifying their schools as a “safe place for kids”.

Such comments reflect a naivete, or worse, a callous disregard for the effects of a sexual assault, (spiking) on the victim. In spiking, usually two or more students exert power over another person without that individual’s consent. The principals’ speeding analogy reflects and infectious lack of concern, which enables harassers and makes this school district’s administration part of the problem.

Consequences

It is important that educators understand not only the legal ramifications of sexual harassment, but also the consequences of sexual harassment for victims. Teens who have been subjected to sexual harassment in the school report effects similar to those of rape victims – anger, fear, powerlessness, shame and self-blame, loss of self-esteem, guilt, confusion, depression and embarrassment.

Victims often have physical symptoms, too, such as headaches, stomachaches, nausea, a change in eating habits and acne. Their schoolwork may be affected by an increase in tardiness, and absenteeism, lower grades or dropping a class. Other acting-out behavior may appear, such as lashing out at family and friends, alcohol and drug consumption, self-mutilation and suicide attempts – and successes.

A victim of sexual harassment begins to lose trust in others and in the educational system for not providing a safe environment. All of these effects may result in lost educational opportunities, which, in turn, decreases career options and economic potential.

At least one state has taken a strong stand to combat the issue of sexual harassment and violence in schools by providing a healthier environment for kids. The Minnesota legislature

passed two laws that became effective with the 1991-92 school year. They require that all K-12 schools, as well as post-secondary institutions that receive state funds and the Minnesota State High School League (the governing body for all fine arts and athletic activities), must have a sexual harassment/violence policy. This policy must be publicly displayed within every school building and included in student handbooks.

The 1992 legislative session mandated that \$1.5 million (\$3 per student) be spent for anti-violence programs, including sexual harassment/violence programs and curricula in the state's schools. The Minnesota Department of Education has developed several sexual harassment curricula for school districts.

A Positive Plan

What can you do as a professional vocational educator to deal with this issue? Here are the essentials:

1. Develop a comprehensive sexual harassment/violence policy for wide dissemination to administrators, staff, students and parents. It should include:
 - A statement of the rights and responsibilities of students and the school;
 - A definition of sexual harassment, including a listing of specific behaviors that constitute sexual harassment;
 - A strong statement that sexual harassment is illegal and will not be tolerated;
 - Sanctions for harassers, students and staff;
 - Procedures for reporting and investigating incidents of sexual harassment, including rules regarding confidentiality, reprisal and appeal;
 - A timeframe for investigating complaints;
 - Appointment of a Complaint Manager/Title IX Coordinator/Human Rights Officer;
 - Requirement that staff intervene to stop any harassment observed, with specific consequences for staff who do not comply.
2. Involve parents, students, staff and lawyers in writing the policy.
3. Provide student support groups for students in non-traditional classes.
4. Develop a process to monitor and evaluate your policy, procedure and complaints.
5. Explain the student policy in age-appropriate settings.
6. Survey your school to determine the extent of the problem.
7. Train administrators, staff and students about sexual harassment.
8. Make the sexual harassment reporting procedure "user friendly".

9. Make use of the “teachable moment” - whenever you encounter harassment or discrimination, confront and explain the issues then and there to participants and observers.
10. Use gender inclusive language.

We hear a lot about schools needing to get back to teaching the basics of the three R’s – reading, ‘riting, ‘rithmetic. There is a fourth “R” that we also must include in our curriculum – “respect”. Demand that your school become part of the solution to the problem of sexual harassment.

Definitions: What is Sexual Harassment?

The Equal Employment Opportunity Commission defines sexual harassment/discrimination as, “Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment” when it is made a condition of employment or of a person’s work performance or environment.

The National Advisory Council on Women’s Educational Programs defines sexual harassment as “the use of authority to emphasize the sexuality or sexual identity of a student in a manner which prevents or impairs that student’s full enjoyment of educational benefits, climate or opportunities”.

From *Sexual Harassment and Teens*, by Susan Strauss (Free Spirit Publishing, Minnesota): “Sexually harassing behavior (*may*) include the following, when based on gender considerations: Sabotaging a person’s work or school efforts, assignments or reputation; assigning a person less challenging or responsible duties; unequal application of discipline, rules and performance standards; repeatedly belittling, demeaning or insulting a person.”

Examples of Sexual Harassment

Today, it is generally accepted that any type of *unwelcome* conduct directed toward a student or employee because of his or her gender may constitute sexual harassment. This conduct may include:

- Touching – the arm, breast, buttock, massaging the neck or shoulders;
- Verbal comments about a person’s body, what type of sex the person would be “good at”, the person’s clothing and looks;
- Name Calling – from “honey” to “bitch” or worse;
- Spreading sexual rumors about a person, through such devices as graffiti or “slam books”;
- Suggestive gestures such as touching oneself sexually in front of others;

- Making suggestive gestures or sounds, such as kissing or smacking, licking the lips, catcalls, winking, leers and stares;
- Pressure for sexual activity, such as cornering, blocking, standing too close, following, conversations that are too personal, repeatedly asking someone out when he or she isn't interested;
- Stunts, such as "spiking" – forcibly pulling down a person's pants – and "wedgies" – pulling on the waistband of a person's underwear to wedge it in their buttocks
- Sexual assault – from groping to rape.

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