



Is Sexual Harassment in our Schools really an Issue?

Forty-eight percent of surveyed middle and high school students report they were sexually harassed at least once during the 2010-2011 school year. "Crossing the Line"ⁱ, which was released 11/7/2011 by the American Association of University Women (AAUW), sheds light on this growing issue for the first time in a decade and the statistics are prompting boards and administrators to ask: "What is our responsibility and how to we manage risks associated with sexual misconduct in our schools?"

The answer is clear. According to federal law under Title IX and precedentsⁱⁱ set through case law, schools and administrators will be held liable for sexual harassment. In a recent case (9/10/2011), a jury awarded a sexual harassment victim in Dallas Texas \$9.3 million when administrators were found to be negligent in their actions. Considering the statistics included in "Crossing the Line" and the consistent civil suit monetary awards to school victims, we as public school risk managers can no longer afford bury our heads in the sand. We must educate all constituents and be in a position to demonstrate risk management efforts relating to sexual misconduct prevention.

As a non-profit business leader who focuses on the single issue of sexual misconduct risk management in schools, I am most often asked about how to affect positive change. Benjamin Franklin said: "Tell me and I forget. Teach me and I remember. Involve me and I learn." Administrators who are concerned about this growing issue can learn from Benjamin Franklin and take the following proactive steps:

1. Educate all staff members on laws governing sexual misconduct and reporting.
2. Ensure that policies and procedures adequately address all aspects of recognition and reporting. Review policies and procedures with all staff members, students, and parents so all fully understand what the district, school, and law requires.
3. Educate staff with "real life" role-play scenarios and workshops to encourage a platform to discuss the issues and equip them with critical skills to handle the realities inherent in schools.
 - a. Incorporate scenarios that the court views as sexual harassment but that school constituents may view as "consensual" inappropriate behavior between staff and students. These behaviors are more difficult to recognize and make up more than 85 % of staff and student cases.
 - b. Introduce student on student and teacher on student role-play scenarios into a portion of the curriculum. Whether it resides under Health, Advising, Debate or other subject areas, students must be encouraged to discuss the issue honestly and openly. By involving students in their learning in an interactive manner, they will have a greater comfort level in addressing and preventing sexual harassment from occurring.

Ethically, morally, and legally, school leadership must address sexual harassment in a preventative and proactive fashion. The good news... it is not at all difficult to do, and research shows that the right teaching and learning methods lead to success. Please contact [WylliE3 Solutions](#) for assistance.

ⁱ <http://www.aauw.org/learn/research/upload/CrossingTheLine.pdf>

ⁱⁱ Fitzgerald v. Barnstable School Cmte. (07-1125), Gebser v. Lago Vista Independent School District (Gebser), 524 U.S. 274 (1998), Davis v. Monroe County Board of Education (Davis), 526 U.S. 629 (1999)