

Staff education, awareness slash sexual harassment risks

By Charles J. Russo, Ed.D.

It's an unfortunate reality that sexual harassment remains a recurring problem for school districts. Teachers' inappropriate physical relationships with students, as well as peer-to-peer incidents, have cast a negative light on many districts. As such, it's critical for educational leaders to maintain safe and orderly learning environments for all students in settings free from unwanted sexual contact with peers or teachers.

Key points

- Harassment complaints cast negative light on districts.
- Disseminate anti-harassment policies; ensure compliance.
- Develop protocol for handling harassment complaints. ■

Keep in mind that addressing sexual harassment requires vigilance. Adhere to the following suggestions when reviewing and revising policies:

- **Ensure timeliness, compliance.** Districts should have clearly written policies in place prohibiting sexual harassment,

while taking proactive steps to prevent the behavior. Accordingly, board policy writing teams – even if they rely on outside firms to write the first drafts of prospective policies – should review the policies at least every two years, or sooner in the event of major changes in legislation or litigation to ensure compliance with current federal and state legal mandates.

- **Solicit stakeholder input.** When reviewing policies, educational leaders should include representatives of various stakeholders in their learning communities, such as board members, the board attorney, teachers, school counselors, parents, staff members, and perhaps a high school student. The policy should be included in faculty, staff, and student handbooks as well as on school websites and materials sent home to parents so all members of school community understand their responsibilities.

- **Prohibit all forms of harassment.** All stakeholders in schools should know what is expected of them. Policies should:

- † Clearly and unambiguously prohibit inappropriate sexual conduct -- whether verbal, physical, or electronic, such as inappropriate photographs, clothing with offensive messages, and sexually offensive notes or letters among faculty, staff, and students.

- † Declare that protection from sexual harassment extends to harassment based on the actions of teachers, peers, same-sex, opposite-sex, and actual or perceived sexual orientations.

- † Determine sanctions for offenders – up to and including termination of employment – consistent with procedures from disciplinary policies. Provide provisions for progressive sanctions depending on the nature of the harassment.

- **Institute protocol for complaints.** Policies should include procedures by which students, faculty, and staff can make and resolve sexual harassment complaints. Procedures should:

- † Include clear and specific language on how and with whom individuals can file complaints.

- † Identify multiple persons that complaints can be reported with to ensure that the accused is not the sole party with whom a complaint must be filed.

- † Ensure that all parties receive procedural due process with the presumption of innocence for the accused.

- **Establish investigative process.** Administrative actions addressing and resolving complaints should be completed in a timely fashion while respecting both the seriousness and the due process rights of all parties. Policies should:

- † Establish time frames in terms of the number of days for filing complaints and conducting hearings compatible with procedures in faculty, staff, and student handbooks.

- † Provide details about the investigatory process such as rights of access to documents and witnesses, which are compatible with handbook provisions for other kinds of alleged misconduct.

- † Identify procedures for hearings such as who chairs and serves on review panels, the right to call and cross-examine witnesses, and how evidence will be presented.

- † Explain the appeals procedures compatible with those from hearings provided in faculty, staff, and student handbooks.

- † Include assurances safeguarding the privacy rights of both the accused and the accuser.

- **Provide professional development, education.** Ensure professional development for teachers and other staff to increase awareness of sexual harassment. Sessions should be provided by an attorney who can lay out the legal ramifications and duties of educators, as well as a mental health counselor who can address the long term implications of how individuals are impacted by having been sexually harassed.

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