

How to Recognize and Combat Sexual Harassment: A Primer for Students

Students are dropping out of school at alarming rates. Many boys and girls report that they drop out because they do not feel safe at school. The National Women's Law Center wants all students to know that they have a right to be protected from harassment, bullying and/or other forms of violence at school.

School district officials are legally responsible to guarantee an education for all students in a safe environment which is free from sexual harassment and sex discrimination. Title IX is a federal law that prohibits sex discrimination, including sexual harassment, in all educational institutions that receive federal funds. Under Title IX, a school or school district may also be held financially liable for harms arising from teacher-on-student or student-on-student harassment. This fact sheet is designed to help students identify, understand and address sexual harassment.

Q: What is sexual harassment?

Sexual harassment is unwanted or unwelcome behavior of a sexual nature that interferes unreasonably with a student's ability to learn, study, work, achieve, or participate in school activities. Sexual harassment is a form of sex discrimination, and schools are legally responsible for preventing it. Schools must also prevent harassment based on your sex, even if it is not sexual in nature.

Sexual harassment need not occur on school property—it can happen off school grounds in any school-related program or activity. Students in a recent survey said they had been sexually harassed on transportation to and from school, on field trips (including away games at other schools), and in drivers' education cars. Schools must protect you from harassment in each of these places.

Q: Who can be a perpetrator or target of sexual harassment?

A student can be harassed by teachers, other students, or anyone else with whom the student interacts while at school or while engaging in school-related activities. Males and females can engage in or be victims of sexual harassment. Girls can sexually harass girls, and boys can sexually harass boys.

Q: What types of behavior qualify as sexual harassment—how do you draw the line between flirting and sexual harassment?

Sexual harassment covers a range of behaviors, including but not limited to: touching, pinching, or grabbing body parts; sending sexual notes or pictures; writing sexual graffiti on bathroom walls; making suggestive or sexual gestures, looks, jokes, or verbal comments; spreading sexual rumors or making sexual propositions; pulling someone's clothes off; pulling your own clothes off; sexual assault; and rape.

Unlike flirting or good-natured joking, which are mutual interactions between two people, sexual harassment is unwelcomed and unwanted behavior which may cause the target to feel threatened, afraid, humiliated, angry, or trapped.

Q: If a girl wears tight clothing or a short skirt, is she asking to be sexually harassed?

Sometime people like to dress stylishly and attractively, but that does not mean that they want to attract everyone or that they are looking to be sexually harassed. Harassment is unwanted and can make a person feel trapped, confused, helpless, embarrassed or scared—certainly no one is asking for those feelings.

Blaming the victim makes being bullied seem like something we can control with our clothing or physical characteristics—but the reality is that women and girls are sexually harassed regardless of their appearance, age, race, or class.

Q: Who is responsible if a student is harassed at school?

Schools have a duty to prevent harassment, to have policies against it, to investigate complaints, and to take prompt action to stop harassment when it occurs. In some cases, a student may be able to go to court to get damages, if a school fails in these responsibilities.

Although an individual harasser cannot be sued under Title IX, if the harasser has engaged in a criminal act—like rape, attempted rape, or assault—then a district attorney may choose to prosecute the individual in criminal court.

Q: What should I do if I am being sexually harassed?

Sexual harassment which is ignored often *escalates*. If you feel safe doing so, let the harasser know that his or her attention is unwanted and alert other people—a friend, a counselor, or trusted adult—about the behavior. Doing so protects your rights and the rights of other students to be free from this unwanted behavior. Here are some basic things you should do if you believe you are being sexually harassed:

- **Tell the harasser that you want the unwelcome behavior to stop.** If you feel comfortable doing so, tell the harasser that his or her behavior bothers you and that you want it to stop.
- **Talk to someone you trust.** Whether it's a friend, parent, counselor, or someone else whom you trust, find a person who believes you. Doing this will provide you with support and can be important evidence later.
- **Keep a detailed written record of the harassment.** Record what happened, when, where, who else was present, and how you reacted. Save any notes, pictures, or other documents you receive from the harasser.

▪ **Report the harassment.** Find your school's anti-harassment policy and talk to the person who has been designated to deal with complaints of sexual harassment. If you feel uncomfortable talking to the designated person, go to a teacher or another adult at the school whom you like and trust. It's okay to bring a friend or parent with you to that meeting.

▪ **File a complaint.** You have the right to file a complaint with the U.S. Department of Education's Office for Civil Rights, with your state's Department of Education, or to bring a lawsuit under Title IX. You may want to talk to a lawyer about these options, particularly if you are thinking of filing a lawsuit.

▪ **Remember you are not alone.** The most recent comprehensive study of sexual harassment in high schools found that 83% of females and 79% of males reported having been sexually harassed in ways that interfered with their lives, with 27% experiencing it often.

Know that you have a right to feel safe in school. If you have concerns about harassment, bullying, or other forms of violence, you can seek help. For more information, contact us at info@nwlc.org.

Additional Resources for Students:

In Love and in Danger: A Teen's Guide to Breaking Free of Abusive Relationships, Barrie Levy, Seal Press (1993).

Sexual Harassment and Teens: A Program for Positive Change, Free Spirit Publishing (1992).

Tune in to your Rights...A Guide for Teenagers About TURNING OFF Sexual Harassment (English); *Agarra La Onda de tus Derechos...Una guía para jóvenes de como COMBATIR el acoso sexual* (Spanish); *Trif Hqooqak* (Arabic) (1985). To order, contact www.umich.edu/~eqtynet.