

Sexual Harassment: Basic Responsibilities for Staff

Sexual harassment is unwelcome conduct of a sexual nature. It includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Any form of sexual violence is a form of sexual harassment prohibited by Title IX.

If a school knows or reasonably should know about student-on-student sexual harassment, which creates a hostile environment, Title IX requires the school to take immediate action to eliminate the harassment, prevent its recurrence, and address its effects. If a student makes a disclosure to you about sexual harassment, or reports that they are being harassed, these are the key things that all staff should be prepared to do for the student...

First please remember—often students forget that you are a mandated reporter.

When possible before the story comes out, check in with the student about this fact.

Often, they are looking for a place to talk and think with someone else not necessarily to report.

Disclosing the limits of confidentiality:

1. **Validate:** “I see you are upset and I want you to know I care about what is going on with you.”
2. **Mandatory reporting reminder:** “But before you share with me, I wanted to remind you if you share something about being sexually harassed—or physically or sexually hurt by someone I need to report that to (Insert appropriate names here). And if that is what you are looking for, I am so happy to help you with your next steps. (PAUSE)”
3. **Confidential hotlines and support:** “But if you just want to talk it through or think about a plan to be safer –I want you to know there are anonymous 24/7 hotlines to call where they can help you think through safety, your feelings and next steps. The folks there have special training about how to help and are kind and caring. You can just text them too for more info if you want— I give everyone these hotline numbers because whether this is your issue or not –it’s always good to have the info so you know how to help a friend.”

Here are some resources for help thinking things through what happened to you or to help you with a plan to be safer: (this is for any student, regardless of gender): Love is respect CHAT: 24/7/365; CALL: 1.866.331.9474; TEXT: LOVEIS TO 22522

For specific help on sexual harassment—you can call or fill out contact information: <http://www.equalrights.org/legal-help/advice-counseling-form/>

Hour Hotline, English and Spanish: (510) 845-7273

Bay Area Women Against Rape bawar@bawar.org

4. **Circle back:** “Ok, just checking—now that I’ve given you the hotline info, how can I help?”
- 5.

IF STUDENT DISCLOSES:

1. For Direct disclosure, VALIDATE:

“Thank you for letting me know. I’m really sorry that happened to you and I want to help with next steps.” If you as a staff member witness someone being victimized on campus consider the following language:

2. WARM HAND OFF OF STUDENT TO NEXT LEVEL SUPPORT:

“What I want to do now is get you to someone who knows more about this than I do and someone who can help you with next steps. They are really supportive. Mr./Ms. _____ talks with students about things like this all the time and they can help you with the next steps, make sure you have someone to support you, and help you understand your rights.”

3. If YOU or a STUDENT Witnesses something:

“I saw what just happened and I have some concerns. I’m going to let _____ [insert title of administrator] know about what I saw so that he/she can look into it.”

4. “ Thank you for telling me about what happened to (insert name of the student). “I’d like to refer you to [insert name of administrator] so that he/she can make sure that the problem is taken care of.”

THINGS TO KEEP IN MIND WHEN A STUDENT MAKES A DISCLOSURE OR REPORTS HARASSMENT TO YOU:

Listen attentively and take the complaint seriously, even if the complaint initially appears questionable to you.

Avoid comments like "Maybe you're overreacting," or "I'm sure he/she didn't mean anything by it. Similarly, avoid comments like, “Oh my goodness, that’s awful. He/she definitely needs to be suspended/expelled.”

Don't make judgments. At this stage, you are not determining the complaint's validity. Keep in mind that not all complaints are valid, and some may be exaggerated; however, stay away from comments such as, "Most people would be complimented by that" or "Maybe you shouldn't dress that way for school."

Speak in a supportive way. Thank them for letting you know about the issue.

You do not want to appear to be "cross examining" the complainant, but if there is something the student wants to confide in you, make sure you listen, and then communicate what has been said to the administrator in charge.

Always check in with the students about safety when making a determination about handoff urgency; this will help the teacher or staff person make a determination about how long they should wait to get the student to the next level of support/intervention.