



Preventing Sexual
Harassment Training
2020-2021

Revised 8/8/06

Standards of Conduct

- Respect the rights and property of others
- Report to work according to assigned schedule
- Notify immediate supervisor in advance of tardiness or absence
- KNOW & COMPLY with department and district procedures and policies
- Observe all safety rules and regulations
- Use district time, funds, and property wisely

Computer Use



Acceptable Use Guidelines & Board Policy CQ

District communications and internet access is to be used for **administrative and instructional purposes only**. Failure to do so can result in termination of privileges and may lead to disciplinary action.

Drug-Free Workplace Requirements

The District prohibits the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances, illegal drugs, inhalants, and alcohol in the workplace. Employees who violate this prohibition shall be subject to disciplinary sanctions. Employee handbook p. 55



Sexual Harassment in Schools



Sexual Harassment

- Defining Sexual Harassment
- Types of Harassment
 - Staff-to-staff
 - Staff-to-student
 - Student-to-student
- Preventing and responding to allegations



What is sexual harassment?

Unwelcome conduct, either verbal or physical, that would not occur but for the sex of the individual.

Quid Pro Quo

- A quid pro quo is when an individual in a position of authority offers a subordinate a benefit in exchange for a sexual favor.

Quid Pro Quo

Examples

- A teacher may offer a student a better grade or a particular position on an athletic team in exchange for a kiss.
- A supervisor may offer an employee a higher evaluation or a promotion in exchange for accompanying the supervisor to dinner.

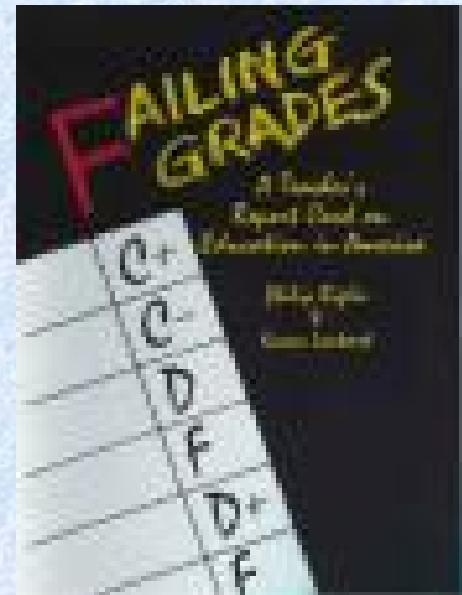
Hostile Environment

A hostile environment is created when unwelcome advances, requests, or conduct have the effect of interfering with the performance of duties or creating an intimidating, hostile, or otherwise offensive work or learning environment.



Signs of a Hostile Environment

- High rate of absenteeism
- Low morale
- Performance slips
- Failing grades
- Discipline problems



Sexual Harassment = Sexual Discrimination

Sexual harassment of students is discrimination on the basis of sex under Title IX.

Franklin v. Gwinnett County School
112 S.Ct. 1028 (1992)

Sexual harassment of employees is discrimination on the basis of sex under Title VII.

Meritor Savings Bank v. Vinson
106 S.Ct. 2399 (1986)

Examples of Conduct that Might be Sexual Harassment

- Offensive gestures or noises
- Sexist statements
- Offensive pictures or posters
- Inquiring into the personal life of a co-worker or student
- Compliments
- Looking at a person's body instead of his/her eyes

Examples of Conduct that Might be Sexual Harassment

- Asking a co-worker or student out for a date
- Leaving a co-worker or student notes, cards or flowers
- Hugs, massages or other touching
- Offensive jokes or comments

Key Word: **UNWELCOME**

- Conduct that may be offensive to one person may not be to another
- The “victim” has an **obligation** to tell the actor that she/he finds the conduct offensive
- If the behavior continues beyond that point, then it is sexual harassment.

We cannot expect people to read our minds



Employee-to-Student Harrassment

FORBIDDEN !

Regardless of whether the student “welcomes” the conduct.

Board Policy DH (Local): Employees shall not form romantic or other inappropriate social relationships with students. Any sexual relationship between a student and a District employee is always prohibited, even if consensual. [[See FFH](#)]

Woman Teacher Accused of Sex With Student Turns Self In



A 23-year-old female teacher in Tampa, Florida, was arrested Monday for the second time on charges of having sex with a 14-year-old male student.

Debra Lafave, was accompanied by her new attorney, John Fitzgibbons as she surrendered to Marion County deputies in Ocala.

Lafave, who is married, is a reading teacher at Greco Middle School in Temple Terrace, just northeast of Tampa.

Student to Student Harassment

- May 24, 1999, the Supreme Court handed down the opinion in *Davis v. Monroe County et. al.* which established that a school district may be liable for money damages in a case of student-on-student harassment under Title IX.
- U.S. Supreme Court determined that at issue in this case is the question of whether a school district which is a recipient of federal education funding may be liable for damages under Title IX under any circumstances for discrimination in the form of student-on student sexual harassment.



1. Faculty, staff, students, and parents must be informed of zero tolerance regarding sexual harassment.
2. Report all complaints or allegations of sexual harassment to a school administrator.
3. When faced with an allegation of sexual harassment, school administrators must take immediate and decisive action to stop it.
4. School must document all steps and actions taken toward stopping the sexual harassment.

Sexual Harassment Policies

- [DIA Legal](#)
- [DGBA Legal & Local](#)
- [FFH Legal & Local](#)

Policies may be found on-line at

www.mcisd.net

Student Welfare: Child Abuse and Neglect FFG (Legal) & FFG (Exhibit)

A person who has cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect by any person shall immediately make a report as required by law. Family Code 261.101(a)

HOW DO I KNOW IF IT'S ABUSE OR NEGLECT?

DFPS defines abuse and neglect as the following acts or omissions by a person:

- **Physical injury** that results in substantial harm to the child, or the genuine threat of substantial harm from physical injury to the child
- **Sexual conduct** harmful to a child's mental, emotional, or physical welfare
- **Mental or emotional injury** to a child that results in observable and material impairment in the child's growth, development, or psychological functioning

HOW DO I KNOW IF IT'S ABUSE OR NEGLECT? **Cont.**

Neglect includes the following acts or omissions by a person:

- Placing a child in or failing to remove a child from a situation which may results in bodily injury or a substantial risk of immediate harm to the child.
- Failing to seek, obtain, or follow through with medical care for a child with the failure resulting in or presenting a substantial risk of death, disfigurement, or bodily injury
- The failure to provide a child with food, clothing, or shelter necessary to sustain the life or health of the child

WHAT IF I'M NOT SURE IF IT'S ABUSE OR NEGLECT?

While it would be ideal to have a clear-cut guide that would determine whether any given situation constitutes abuse or neglect, there are many factors that determine whether a situation warrants an investigation. When in doubt, always err on the side of the child's safety by making a phone or Internet report to the Texas Abuse Hotline.

To whom do I make a report?

- Mission Police Dept. (956) 584-5000
- Child Protective Services 1-800-252-5400
- Local CPS office (956) 580-1116
- CPS Website www.txabusehotline.org

If the child is in immediate danger, call 9-1-1 or your local police first, then call the Texas Abuse Hotline to make a report.

Reporting your suspicion to a school counselor, a principal, or to another school staff member DOES NOT fulfill your responsibilities under the law. Furthermore, the District cannot require you to report your suspicion first to a school administrator.