



Inspired Teaching
Demonstration School

Preventing and Addressing Sexual Harassment and Bullying



Discrimination on the Basis of Sex

Governed by State and Federal Law

Title IX of the
Education
Amendments Act
1972

Discrimination on the basis of sex is prohibited by any federally funded education program or activity.

DC Human Rights
Act

Prohibits discrimination on the basis of actual or perceived: race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, political affiliation, source of income, or disability of any individual

School Safety
Omnibus Amendment
Act

Requires schools to take steps to prevent and address student sexual abuse by school staff and student-on-student acts of sexual harassment, sexual assault, and dating violence.



Sexual Harassment Discrimination

- Title IX discrimination *may* extend to claims of discrimination based on gender identity or expression under the Federal law. It is definitely covered under DC Law (DC Human Rights Act)
- ITDS will investigate and resolve issues of sexual harassment based on sex, gender identity, gender expression, and sexuality.
 - Therefore, sexual harassment can occur between individuals of the same or different sex and/or gender

Special Note regarding students who are gender non-binary, gender fluid, or gender queer.



Definitions Review

Sexual Harassment (Federal)

- School employee conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct
- Unwelcome conduct on the basis of sex determined by a **reasonable person** to be so **severe, pervasive, and objectively offensive** that it effectively **denies a person equal access** to the recipient's education program or activity
- Sexual assault, dating violence, domestic violence, stalking

Sexual Harassment (State)

Any unwelcome or uninvited sexual advances, sexual favors, sexually motivated physical conduct, stalking, or other verbal or physical conduct of a sexual nature that can be **reasonably predicted** to:

- Place the victim in **reasonable** fear of physical harm to his or her person;
- Cause a **substantial detrimental effect** to the victim's physical or mental health;
- **Substantially interfere** with the victim's academic performance or attendance at school; or
- **Substantially interfere** with the victim's ability to participate in, or benefit from, the services, activities, or privileges provided by a school.

With a partner, choose one of the highlighted words and discuss how you would define it in the context of Sexual Harassment



Definitions Review cont.

- Was the conduct severe, pervasive, and objectively offensive?
 - The more severe, the less repetition needed
 - Physical or threats of violence = Severe
 - Pervasive - frequency, intensity, and duration
 - Objectively offensive - would a similarly situated person (e.g., student) find the conduct offensive
- Was the complainant denied equal access to education program or activity?
 - Does NOT require loss of education
 - Does NOT require physical manifestations such as missing class, panic attacks, or trauma symptoms
 - Does NOT require that a complainant's total or entire educational access has been denied
 - Examples may include: avoiding small groups so as to avoid respondent, decline in grades, difficulty concentrating in class, stopping school-based activities



Examples of Sexual Harassment

Verbal

- Whistling
- Humor and jokes about sex or specific gendered traits
- Suggestive or insulting sounds
- Sexual innuendos
- Demands for sexual favors

Physical

- Any inappropriate touching, pinching, patting, tickling
- Brushing against someone else's body
- Coerced sexual activity
- Assault



Applicable Policies

Adult-to-Adult

- Follow the Work Related Grievances/Complaints and Problem Resolution Process
- Oral or written complaint's go directly to your supervisor and Director of HR.
 - If complaint is against either of those individuals, you can go to the COO or Head of School

Adult-to-Student

- Follow the Preventing Student Sexual Abuse by School Staff Policy
- ITDS views any sexual activity between school staff and any student below the age of 20 years enrolled in the school or school system as unwelcome and nonconsensual.
- As mandated reporters, school staff should notify CFSA or MPD per legal guidelines.
- After reporting to CFSA or MPD, immediately notify the Title IX Coordinator, School Social Worker, and Head of School

Student-to-Student t

- Follow the Addressing Student-on-Student Sexual Harassment, Sexual Assault, and Dating Violence Policy.
- Notify the Title IX coordinator of any reports of sexual harassment.
- Follow mandated reporter guidelines for any reports of sexual assault which may include calling CFSA or MPD.
- After reporting to CFSA or MPD, immediately notify the Title IX Coordinator, School Social Worker, and Head of School



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Preventing Student Sexual Abuse by School Staff



Preventative Policies

- To the maximum extent possible, meet in a public place where both the staff member and the student are in full view of others.
- Avoid physical contact that can be misinterpreted.
- If meeting in a room or office, leave the door open or move to an area that can be clearly observed by others if passing by. If the door must be closed due to a confidential setting (e.g., a mental health counseling session), then ensure that the window is not blocked so that anyone walking by can view into the room.
- Document and immediately report any unusual incidents, including disclosures of abuse or maltreatment, behavior problems and how they were handled, injuries, or any interactions that might be misinterpreted.
- Always email students from school-issued email addresses. When sending or replying to emails and text messages from students, copy a supervisor and/or the students' parent/guardian



Prohibited Interactions

Physical Contact	Kissing Showing affection in isolated areas Wrestling Piggyback rides Tickling Students older than K sit on personnel's knees
Verbal Interactions	Compliments related to physique or body development Discussing sexual encounters Off-color or sexual jokes
Interactions Outside of School	Taking students on 1:1 outings (even with parent/guardian permission) Visiting student in their home without a parent/guardian present Entertaining student in your home
Electronic and Telephonic Interactions	Any private communication or image sharing - text, video calls, personal email Posting pictures of students on or adding students as friends on personal social media sites



Recognizing signs of Sexual Abuse in Students

Signs of child sexual abuse can be physical and/or emotional, with physical signs being less common. Emotional signs can range from “too perfect” behavior to withdrawal, depression, or unexplained anger. It’s important to remember that some children may show no signs at all.

Emotional Signs of Abuse	Physical Signs of Abuse
Anxiety and depression Sleep disturbances, inc. nightmares or terrors Changes in eating habits Unusual fear of certain people or places Changes in mood or attitude Unexplained or frequent health problems Poor self-esteem Self-mutilation or change in body perception Regression to previously outgrown behaviors, such as bedwetting or thumb sucking Abnormal sexual behaviors or knowledge of advanced sexual language or behaviors Too “perfect” behavior or overly compliant	Direct physical signs of sexual abuse are not common - However, physical signs may include: Bruising, bleeding, redness and bumps, or scabs around the mouth, genital, or anus Urinary tract infections STDs Abnormal vaginal or penile discharge Other physical signs may include: Persistent or recurring pain in urination Wetting or soiling accidents unrelated to potty training Headaches or chronic stomach pain



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Preventing, Recognizing, and Addressing Student-on-Student Situations



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Student-on-Student Sexual Harassment, Sexual Assault, and Dating Violence



Our Responsibility as a School

1. **Ensure equal access to education**
2. Duty to respond
3. Resolve complaints promptly and accurately under a predictable, fair grievance process that provides due process to all parties
4. Provide supportive measures and effective remedies for alleged victims and alleged perpetrators



Ensuring Equal Access

- **Create a climate of warmth, inclusion, and safety.** Students need to know one another and know their teachers. They also need to feel safe through the development of positive communication, clear boundaries, and sound judgment.

Everyone learns. Everyone is safe.
Everyone builds the community.



Duty to Respond

Federal - Title IX	DC Law - Human Rights and School Safety Acts
1. Actual knowledge of sexual harassment 2. Occurred within the school's education program or activity 3. Against a person in US	• When school knows or reasonably <i>should</i> know of acts of sexual harassment, sexual assault, or dating violence

- Actual knowledge or Reasonably *should* know
 - Any school employee
 - Plain sight or wide spread
 - Hallways, bathroom spaces, classes, extracurriculars, field trips



Report vs. Formal Complaint

If a report is made, you must immediately inform:
Jessica H, Title IX Coordinator
#1100 on School Phone OR Email: URGENT or Title IX

Report

Anyone can
make a report to
any staff
member

Formal Complaint

Must be made by a
complainant (victim),
complainant's parent/
guardian, or Title IX
Coordinator

Title IX Coordinator will: Initiate Title IX Grievance Process including written notification to all parties, assigning an investigator and decision-maker



Supportive Measures

Non-disciplinary, non-punitive, individualized services that protect complainant and others during the investigation.

- Goal is to restore or preserve equal access to education program or activity
- Note, at ITDS, we extend these measures to the alleged respondent as well

Examples:

- Limiting contact between complainant(s) and respondent(s)
- Providing counseling support
- Modified schedule
- Academic supports/accommodations



Formal Complaint Process and Timelines





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Bullying



Youth Bullying Prevention Act of 2012 (YBPA)

“Bullying” has been defined by the YBPA as any **severe, pervasive, or persistent** act or conduct, whether physical, electronic, or verbal that:

- (A) May be based on a youth’s actual or perceived race, color, ethnicity, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, intellectual ability, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, status as a victim of an intrafamily offense, place of residence or business, or any other distinguishing characteristic, or on a youth’s association with a person, or group with any person, with one or more of the actual or perceived foregoing characteristics; and
- (B) Shall be reasonably predicted to:
 - (i) Place the youth in reasonable fear of physical harm to their person or property;
 - (ii) Cause a substantial detrimental effect on the youth’s physical or mental health;
 - (iii) Substantially interfere with the youth’s academic performance or attendance; or
 - (iv) Substantially interfere with the youth’s ability to participate in or benefit from the services, activities, or privileges provided by an agency, educational institution, or grantee.



ITDS Bullying Policy

Acts of bullying, including cyber bullying, whether by youth, volunteers or staff, are prohibited.

Retaliation against someone who reports bullying is also prohibited.



Reporting

Who Can Report?

- Student
- Staff
- Family member/ caregiver
- Anonymous
 - Bully Box in MS

To Whom?

- Any staff member

Staff members
report to...



PreK3-4th: Mr. Dre
5th-8th: Ms. Mac



Bullying Investigation and Timeline

- 48 Hours - Manager of Culture, Equity, Student Experience
 - Talk to alleged victim and family
 - Provide supportive measures
 - Determine if there is a formal complaint
- 10 Days - Investigate Formal Complaint
 - Day 1 - Written notification to all parties
 - Days 2-7 Investigation
 - Days 8-9 Determination
 - Day 10 - Notify all parties
- Families can appeal within 30 days to the Principal



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A note about student investigations and consequences

ITDS will always follow our Tiers of Consequences and use a progressive discipline model. Consequences are aligned to our philosophical approach to discipline which encourages accountability and restorative justice. The developmental age and stage of a student is also considered when determining an appropriate consequence.



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Scenarios



Scenarios

- You notice a student has been quiet and withdrawn recently. When you ask them what's wrong, they say they don't know, they just wish they were dead.
- You overhear a student say “You’re so dumb, [r-word].”
- After repeated redirections and calls home, the same student continues to call their peer names and make fun of them.
- A student comes to you and says a group of their peers keeps moaning, making jokes about sex, and commenting on their body.