

Spotlight on Bullying & Harassment: The Law and One School's Response

National Women's Law Center

11 Dupont Circle NW
Suite 800
Washington, DC 20036
(202) 588-5180
www.nwlc.org



Presenters



Devi Rao
National Women's Law Center



Janelle Spitz
Passage Middle School



Ali Thompson
Virginia Center for Inclusive
Communities

Title IX Protections from Bullying and Harassment in Schools

- What is Title IX and how does it apply to bullying and harassment?
- What is prohibited bullying and harassment?
- What must a school do to protect its students?
- What about cyberbullying?

What is Title IX and how does it apply to bullying and harassment?

- Title IX is not just about sports!
- It is a federal law that prohibits sex discrimination in schools that receive federal funding.
- Covers students & employees, women & men
- Gender- or sex-based harassment are forms of sex discrimination that is prohibited under Title IX

What is prohibited bullying and harassment?

- Much of what we might call “bullying” is actually prohibited harassment.
 - Harassment can take many forms
 - Harasser does not have to *intend* to cause harm
 - Harasser and target can be of the same sex
- To be prohibited under Title IX, the harassment must be “on the basis of sex,” meaning sex- or gender-based harassment

What is sexual harassment?

- Unwelcome conduct of a sexual nature.
- Can include sexual advances, touching, comments, or jokes, gestures, drawing, and pictures
- Examples:
 - Sharing “sexts” or nude photos of a classmate or spreading sexual rumors.
 - Harassing a student because of her sexual activity, use of birth control, or pregnancy.

What is gender-based harassment?

- Harassment due to a student's failure to conform to gender stereotypes
- Examples:
 - Slurs like “slut,” and “whore”
 - Harassing a girl because she takes shop class, wears short hair and baggy clothes, or is on the wrestling team
 - Harassing a boy because he has mostly female friends, plays the flute, or is on the dance team.

What is a hostile environment?

- Gender- or sex-based harassment
- Severe, pervasive, or persistent
- Interferes with a student's ability to participate in the benefits of the school, including all activities and services

What must a school do to protect its students?

- A school must do something about harassment that it knows about or reasonably should know about
 - Investigate the harassment in a prompt, thorough, and fair way
 - If gender-or sex-based harassment created a hostile environment the school must take effective steps to end the harassment and prevent it from happening again

What about cyberbullying?

- **Title IX** requires schools to intervene if sexual harassment is **severe or pervasive** enough to interfere with a student's education
- The **First Amendment** prohibits schools from intervening in off-campus student conduct unless it was reasonably foreseeable that the speech would create a **substantial disruption** in the school environment

Relationship between Title IX and the First Amendment

Title IX—
severe and
pervasive

First
Amendment—
substantial
disruption

severe and
pervasive =
substantial
disruption?

What should schools and parents do to combat sexual harassment?

What should students do?

- Do not respond in kind.
- Immediately report the harassment to school administrators.
- Keep evidence of the harassment.
- Be persistent. Make sure administrators know if the harassment continues.
- Contact NWLC if you have any questions at info@nwlc.org, or 202-588-5180.

What should schools do?

- Take student complaints seriously and do not dismiss it as just “kids being kids.”
- Be proactive.
- Make sure that any response to the conduct is tailored to the school environment.
- Consider both classroom-based and schoolwide interventions and support.

Additional Resources

For more information, visit our website, www.nwlc.org/bullying, and check out our factsheets on the issue:

- [Title IX protections from bullying & harassment](#)
- [Pregnancy harassment *is* sexual harassment](#)
- [Cyberbullying and sexual harassment](#)

Presenters



Janelle Spitz
Passage Middle School

Mary Passage Middle School Newport News, VA



Smart, Safe Schools

Our mission: To prepare 21st century learners for success in a global community

Culture & Climate

Fall 2010 – “The Woods” with VCIC

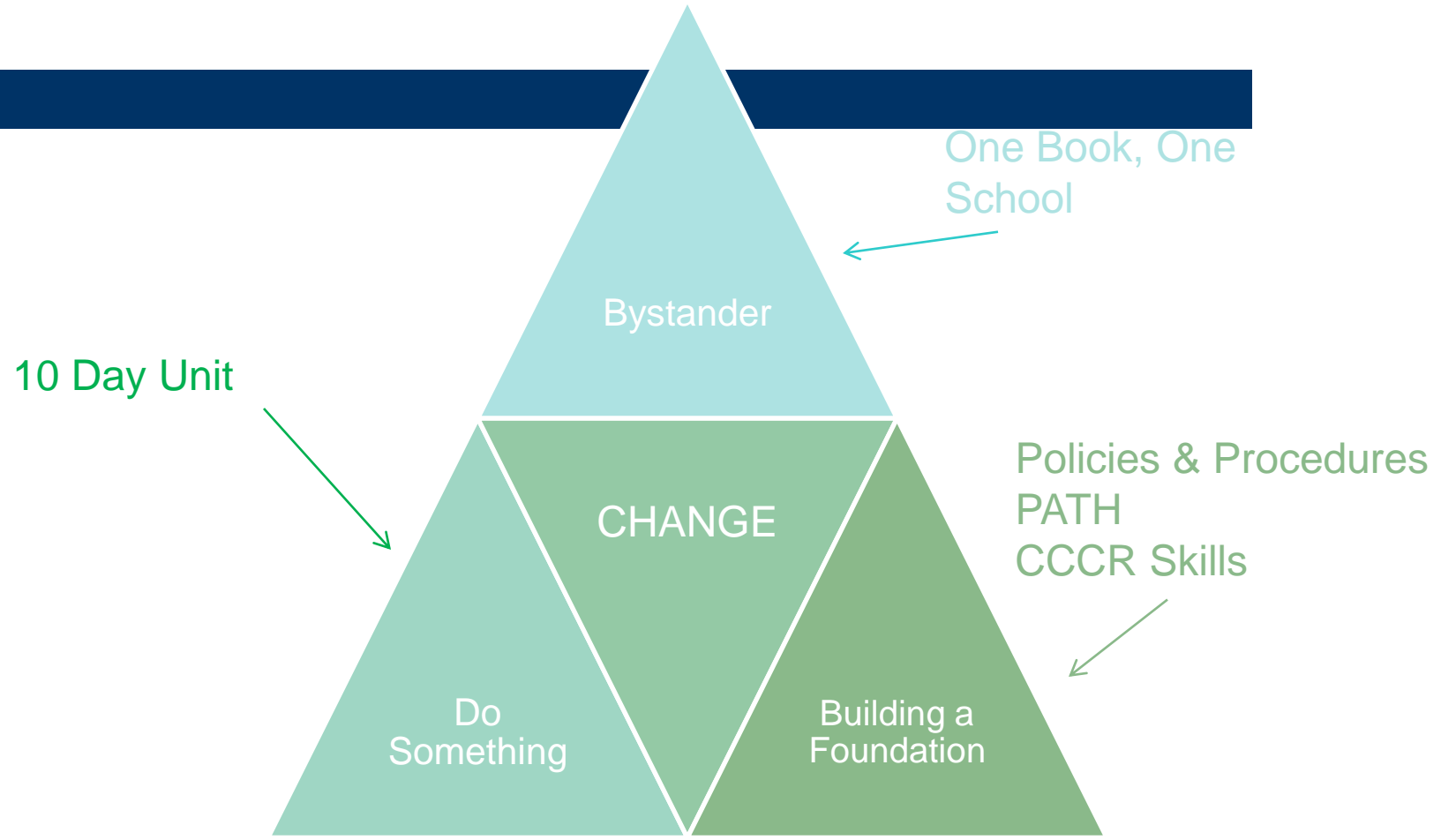
Winter/Spring 2011 – training with staff

Feb. 2011 – Holocaust Memorial Day

Summer 2011 – Be the Change curriculum planning

Fall 2011 – Creating an Upstander culture

Creating an Upstander Culture



Challenges

- “We’ve tried this before...”
- 100% Teacher Buy-In
- Funding
- Time away from “my” curriculum
- “I’m not a reading teacher”
- “Some of the students aren’t participating...”
- “I still see bullying...”



Student Comments

“If I don’t stand up it will continue.”

“This makes us more aware – it’s the perfect environment to learn this. I learn from examples. We don’t want to be like that.”

“I thought bullying was physical, but the book made me realize it’s more a mind-game.”

“Anyone can be a bully. In the book Griffin was good-looking and nice to the cafeteria lady. You can’t hide behind a mask.”

“You have to understand the effect bullying has on someone. You don’t know what they might be going through.”

“I was an upstander today.”

Families/Community

Teachers: “We are developing a greater sense of community.”
Better rapport with students. More tolerance with colleagues.
Increased relationships with students.
Teachers more aware of how students are treating each other.

Parents: “I wanted to tell you about this because I know addressing bullying is important to you.”
“My child really likes coming to school.”

Positive Recognition: Daily Press, Cox Communications, Kiwanis Club

Change =



Presenters



Ali Thompson
Virginia Center for Inclusive
Communities

NNPS Equity Initiative

- 2-Year Initiative
 - Year One: Three Elementary Schools
 - Year Two: Three Middle Schools
- Each Year Included:
 - Administrative Retreat (Central Office)
 - Educator Retreat
 - 12 School Sessions
 - 4 Full Faculty
 - 4 Customized
 - 4 Equity Team Sessions

NNPS Equity Initiative

- Workshops Included:
 - Opening Session
 - Cycle of Prejudice
 - Exploring Race
 - Examining Socioeconomic Class
 - History of Public Education
 - Culturally Relevant Pedagogy/Inclusive Curriculum
 - Classroom Management
 - Discussion Groups
 - Action Planning
 - Community Roundtables

NNPS Equity Initiative

- Elementary Schools
 - More Inclusive Activities Periods & Morning News
 - Improved Communications Home
 - Increased Analysis of Materials used
- Middle Schools
 - Created One Book, One School
 - Developed *Drown Out Drama Club*
 - Revised and Examined Student and Staff Surveys

Other District Models

- Coalition Teams in Every School
 - Student Clubs and Supports
 - Curriculum
 - Intensive sessions in schools customized
- Voluntary Customized Units
 - Beginning Stages
 - Seen need for more school work and have had follow up sessions in various buildings

Student Initiatives – One Day

- Prejudice Awareness Summit
 - Words Hurt Website
 - Poster Campaigns
 - Diversity Clubs
- Diversity Dialogue Day
 - Bullying Drills
 - Student-Led Assemblies/Day Long Initiatives

Student Initiatives - Retreats

- Project Inclusion
 - 4 days
 - 1 school or district
 - Teachers participate in facilitation
- Connections
 - 5 days
 - 12 schools represented

Things to Consider

- Training for Guardians/Parents
- Include Staff Members in Professional Development Sessions
- Partner with Community Members so they hear your needs for support
- Be Inclusive
 - Make sure a range of students, families, and faculty are chosen

Questions...

- Please type your questions into the question pane in your control panel on the right hand side of your screen.

Thank You for Participating!

- In the next few days you will receive a recording of this presentation. You will also receive links to additional resources.
- If you have further questions or need help, please contact the National Women's Law Center at info@nwlc.org, or (202) 588-5180.