

STOP SEX HARASSMENT IN PK-12 SCHOOLS & HIGHER EDUCATION

THE PROBLEM

Far too many students in PK-12 schools and in institutions of higher education experience sex harassment, including sexual assault, dating violence, and stalking. [More than one in five girls](#) ages 14 to 18 (21%) have been kissed or touched without their consent, and [nearly two in five women](#) are sexually assaulted during their time in college, but only [2% of the former](#) and [12% of the latter](#) report the incident to their schools. Students do not report sex harassment for a number of reasons, including shame, fear of retaliation, fear of school discipline, and a belief that their harassment was not “serious enough”—e.g., because it began consensually or involved alcohol or drugs. When student survivors do come forward, they are often ignored, disbelieved, or even punished by their schools, for violations like allegedly consensual sex, self-defense (“assault”), or expressing trauma symptoms (“acting out”). Schools are more likely to disbelieve and punish [women and girls of color](#) (especially [Black women and girls](#)), [LGBTQ+ students](#), [pregnant and parenting students](#), and [disabled students](#) because of stereotypes that label them as “promiscuous,” “aggressive,” less credible, and/or less deserving of protection. When schools fail to provide effective responses, student victims receive [lower grades](#), [lose scholarships or leadership roles](#), or are [forced to drop out](#) of school. In some cases, they are even expelled.

Student survivors can no longer rely on federal law to protect them. In 2025, two federal courts struck down the Biden administration’s [2024 Title IX rule](#) on sex harassment, thereby reviving the Trump administration’s [harmful 2020 Title IX rule](#), which allows schools to dismiss many complaints and to use uniquely unfair procedures in sex harassment investigations. Meanwhile, Trump has dismantled much of the Department of Education’s enforcement infrastructure and systematically [ignored student survivors’ complaints](#) in favor of attacking transgender students under the guise of preventing sex harassment. More than ever, states must take action to ensure that student survivors receive comprehensive and appropriate supportive measures, fair investigations or restorative processes, and robust prevention protocols.

THE SOLUTION

The following solutions can be implemented through statutes, regulations, or school board policies.

Strengthen Prevention Measures

- Train all students and staff in PK-12 schools and higher education on sex harassment. This includes developmentally appropriate sex education for all K-12 students on [consent](#), [healthy relationships](#), and [reproductive health](#) that is inclusive and affirming of [LGBTQIA+ identity](#).
- Remove police and ban immigration officials from schools to protect all students—especially Black, Indigenous, and migrant students—from [sex harassment](#), [discipline](#), and [violence](#). Invest instead in guidance counselors, social workers, psychologists, and other [non-police staff](#) to build positive school climates and support survivors.
- [Eliminate dress codes](#), which often promote the dangerous message that how girls dress impacts whether they are harassed, rely on sex and race stereotypes, and are often discriminatorily enforced, particularly against Black and brown girls and curvy girls. At a minimum, require schools to implement a universal, nondiscriminatory dress code.
- Ensure [trans-inclusive](#) access to [restrooms](#), [locker rooms](#), and [sports](#), which reduces sexual assault of transgender and nonbinary students, and mitigates [health risks](#) and harm from exclusionary policies.
- Require schools to conduct regular climate surveys on student experiences with sex harassment and school investigations, and make the survey data results publicly available while protecting students' identities.

Support Student Victims Instead of Punishing Them

- Require schools to provide a [wide range of supportive measures](#) to students who report sex harassment. These measures should restore students' equal access to education and ensure they feel safe and can include excused absences, counseling, tutoring, homework/exam adjustments, changes in classes/dining/housing schedules, one-way no-contact orders, continued scholarship/honors eligibility, and the option to retake a class without financial penalty.
- Prohibit schools from [disciplining students who report sex harassment](#) for misconduct that occurred during the harassment (e.g., drug or alcohol use, consensual sexual activity, self-defense) or because of the harassment (e.g., class absences, trauma symptoms).

Ensure Meaningful Accountability of Schools

- States can pass a [Students' Access to Freedom and Educational Rights \(SAFER\) Act](#), which would allow harassment victims to ask a state agency or state court to hold their schools accountable for failing to address harassment. Under the SAFER Act, schools would be required to respond to harassment based on sex, race, disability, etc.:
 - » When it “unreasonably alters” a student’s ability to participate in school, even if the underlying conduct occurs off campus or online or does not meet the unduly stringent standard of being “severe or pervasive.”
 - » The first time a school employee knows or should have known about it, even if the complainant is not harassed or assaulted again.
 - » By offering supportive measures (regardless of whether the school conducts an investigation), investigating the harassment (if requested by the complainant) or facilitating a [restorative process](#) (if requested by all parties and appropriate under the circumstances), and taking any other necessary actions to address the effects of the harassment.
- State agencies should conduct prompt and equitable investigations of harassment complaints and take enforcement measures when they find a school has violated a state civil rights law, such as a SAFER Act.

TALKING POINTS ON THE SOLUTION

- Schools are often the first places where people experience sex harassment, so it is critical to address this behavior early on.
- Requiring schools to address sex harassment after it has occurred is important, but it is not enough. We must also require schools to take proactive, comprehensive, and intersectional measures to **prevent** sex harassment from occurring in the first place. And we already know what works: research shows that a holistic approach—which includes [comprehensive sex education](#), [transgender-inclusive policies](#), and [removal of police from schools](#)—can help prevent students from being sexually assaulted.
- Students’ academic, health, and safety needs should be at the center of our response to sex harassment. After all, investigating complaints and disciplining harassers alone does little to ensure that survivors can stay safe in the meantime, avoid retaliation, keep up their grades, continue their extracurricular activities, and successfully graduate. The reality is that many survivors are further punished or traumatized by their schools after reporting and therefore many choose to stay silent instead. When we prioritize **supportive measures** and **anti-retaliation measures**, we ensure our response to sex harassment is survivor-centered, meets their material needs, and protects their equal access to education.

- Young people should be given opportunities to learn from their mistakes and take true accountability by repairing the harm they have caused and preventing further harassment. A [restorative process](#) allows the wrongdoer to admit they caused sexual harm, make amends to the victim, and change their future behavior. Schools should conduct a **restorative process** if all parties consent to it and if it is appropriate under the circumstances, thereby enabling survivors to truly heal and preventing harassers from causing harm again.

Public Popularity

- [Almost all](#) U.S. adults said it is important or very important to keep students and teachers safe (99%) and to make students feel welcome in schools (98%) in a 2025 poll.
- More than three in five U.S. adults (62%) said strengthening protections against sex harassment in schools and workplaces would help them and their families, including 68% of women in a January 2026 poll.
- More than eight in 10 U.S. adults (81%) supported guaranteeing the right to be free from sex discrimination, including sex harassment, in schools and workplaces in an April 2026 poll.

State-Specific Data

- Click [here](#) for 50-state data available through the Youth Risk Behavior Survey to see the prevalence of sexual assault and dating violence among young people in your state (select topic “unintentional injuries and violence” and questions “forced sexual intercourse,” “sexual violence,” “sexual dating violence,” or “physical dating violence.”)

Examples of State and Local Policies

- In recent years, [California](#), [Connecticut](#), the [District of Columbia](#), [Hawai‘i](#), [Illinois](#), [Maine](#), [Massachusetts](#), [Nevada](#), [New Hampshire](#), [New Mexico](#), [Ohio](#), and [Oregon](#) have enacted new protections for student survivors, including requiring schools to: train students and staff on sexual harassment, conduct school climate surveys, improve survivors’ access to supportive measures, and/or refrain from unfairly disciplining survivors when they come forward.
- In 2023, [Colorado](#) became the first state to require PK-12 schools to address sex, race, disability, and other discrimination (including harassment) regardless of whether it is considered “severe or pervasive,” including by offering supportive measures and not unfairly disciplining students who report discrimination.
- A 2025 [Nevada](#) law allows PK-12 students and school staff to sue their schools in state court if the school fails to enforce a policy to address sex harassment (including anti-LGBTQIA+ harassment) by a student, school employee, or contractor. Under the required policy, schools must make a plan to implement supportive measures within 3 days of receiving a complaint, regardless of whether an investigation is requested; and use trauma-informed procedures to investigate complaints.

- In 2026, [Michigan](#) introduced the SAFER Act, which would allow students and school staff to sue their schools in state court for failing to address harassment based on sex, race, disability, religion, and other protected traits. The pair of bills would require schools to provide victims with comprehensive supportive measures, an investigation (if requested by the complainant) or restorative process (if requested by all parties), avenues for confidential disclosure, and enhanced protections against retaliation.