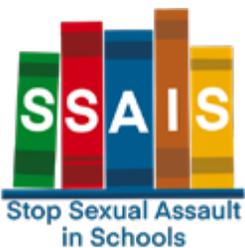


Guide

Investigating What Happens When a Student Reports Sexual Harassment



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Table of Contents

Introduction	2
Research	3
Interviews	8
Write-up	12
Resources	15

Introduction

- Do students at your school know what happens after they report sexual misconduct to teachers, coaches, or other school staff?
- This guide is meant to help you research your school's definitions, policies, and procedures, as well as provide direction for improving your school's responses to reported sexual misconduct. Sexual misconduct is a general term that includes sexual harassment (in-person or online), sexual assault, dating violence, stalking, and other behaviors by students and school staff as defined in your school's or school district's policies.
- Many students do not report sexual misconduct because they assume school staff will ignore them, or they will not be believed and face judgement, blame, or retaliation. Too often, the steps schools are supposed to take in response to reported sexual misconduct are not apparent. When school policies and procedures are hard-to-find, or are vague or confusing, schools can avoid responsibility when it comes to taking action, providing support, and complying with the law.
- The goal of this project is to help make transparent your school's response and help fellow students understand what to expect when they report sexual misconduct.
- You may use this guide to research what your school or school district does when it is informed about sexual misconduct incidents, and to help you create a document that you can share with classmates and parents.



Research

1 **School or school district sexual harassment policy.** How does your school define sexual misconduct and what is its sexual misconduct policy?

- Search for sexual misconduct (harassment) policy in your student handbook or on the school district's website and make note of how sexual misconduct is defined. If you can't find the policy, ask your school's administration office to provide you with a link or a copy. (**example policy**)
 - » What behaviors are prohibited?
 - » Does the policy outline reporting options and ways to address the offender's behavior?

2 Title IX Coordinator. Each school district is required by law to have a designated Title IX Coordinator who is responsible for handling reports of sexual harassment and other types of sex discrimination. Who is the Title IX Coordinator for your school district?

- Search your school or school district website for the Title IX Coordinator's name and contact information. If you can't find it, ask your school's administration office for this information.
- Watch this **video** in which a school district Title IX Coordinator explains how she handles sexual harassment complaints.

3 Mandatory reporting. In all states, educators are required by law to report child abuse, including sexual abuse, to your local law enforcement or child welfare agency. Many survivors and their families might not be aware that if they notify a teacher or other school staff that a student was sexually assaulted, then that staff member might be required to notify the police. This is why it is helpful to learn more about mandatory reporting.

- **The Child Welfare Information Gateway** has resources about mandated reporting and links to laws governing mandated reporting in every state.
 - » What are the laws in your state?

4 Privacy and Confidentiality. To adequately address sexual misconduct, schools should take steps to protect student privacy, as much as permitted by law. An ideal policy would offer both anonymous and confidential reporting options.

- Watch this **video** in which a victim advocate explains confidentiality to a high school sexual assault survivor.
- Search your student handbook or school's website for any instructions on how to report sexual harassment anonymously and/or confidentially. (example **anonymous sexual harassment complaint form**, example **anonymous helpline**)
 - » What options does your school provide for anonymous and confidential reporting?

5 Forms for reporting. Some schools ask students who report to complete an online or paper form when providing information about what happened to them. Does your school?

- Search your district website for online forms that students can use to report sexual misconduct. Note that some schools or school districts may use a standard form for reporting on incidents of sexual harassment, bullying, and intimidation. (Harassment, intimidation, or bullying report **example 1**, **example 2**, **example 3**)
 - » What forms does your school use for reporting sexual misconduct?

6 Investigation procedure. Your school or district should have a written explanation of its investigation procedures.

- Search your school's website for the investigation procedure (sometimes called a grievance procedure) the school takes when it learns of sexual misconduct. (example [policy](#), example formal complaint [investigation overview](#) and [investigation process chart](#))
 - » What steps does your school say it takes to investigate reported sexual misconduct?

7 Retaliation. Your school or district should have a policy that describes how it handles retaliation to reported sexual misconduct.

- Watch this [video](#) that explains legal protections against retaliation.
- Search your school's website for a policy that protects reporting students from retaliation. Note that protection against retaliation is often part of a larger policy document on sexual misconduct. (example [policy](#))
 - » Does your school have a policy that protects reporting students from retaliation?

8 Supportive measures. Supportive measures (sometimes called “interim measures” or “accommodations”) are actions a school takes to safeguard both reporting students and alleged perpetrators while it investigates a reported sexual misconduct incident. Examples of supportive measures are no-contact orders, increased supervision of certain locations or activities, and rearranging class schedules to separate the involved students.

- Search your school website for its policy on supportive measures for reporting students. Note that supportive measures are often discussed in a larger document on sexual misconduct. (example **policy**, example **student handbook description**)
 - » What supportive measures, if any, does your school say it provides to reporting students while it investigates the information it received?



Interviews

Although your school or school district might have an official written sexual misconduct policy and response procedure, what information can you find about how individual school staff members would respond if a student told them about a particular incident? What steps would different school staff take to an informal report (e.g., a student tells a teacher about an incident) or a formal report (e.g., a student submits a report on a form or sends a written report to a principal or district Title IX Coordinator)? What is the student's experience after reporting an incident?

1 Planning

Consider interviewing people whom you trust and who are likely to have the most specific, accurate information. Decide whom you want to interview, in what order, and prepare your questions in advance.

- Select different school staff to interview. If you like, include someone you know and whom you are comfortable approaching. Examples are teachers, a counselor, a coach, security personnel or school resource officer, or a principal or assistant principal. You may wish to start with someone friendly and approachable. If there is a staff member that you know cares about this issue, they may be a good person to interview and offer advice as you ask to interview others. Consider also interviewing the school district Title IX Coordinator.
- Make a list of questions to ask each staff member about what they would do in response to a specific scenario. For example, instead of asking a teacher, “What would you do if someone told you they were sexually harassed?” try, “What would you do if a student in your class told you that a classmate keeps touching her?” Here are examples of scenario questions:
 - » What if I tell you that I’ve been groped in the hallway? What would you do?
 - » I inform you that someone is sharing nude photos of me with their friends. What would you do?

- » What happens if I confide that a classmate sexually assaulted me after a football game, and I don't want anyone to know I told you?
- » Suppose you receive an anonymous report from a student who was sexually assaulted by a classmate on the school bus. What would you do?
- » What would you do if I told you that a teacher texts me personal messages all the time?
- Consider asking questions about retaliation and supportive measures:
 - » What happens if I name the person who harmed me (perpetrator) and then they and their friends retaliate against me in some way?
 - » What if I'm afraid of going to class with the perpetrator. What would you do?
- Consider asking administrators questions like these about what happens during investigations:
 - » A student tells you that a classmate gropes her, and the teacher did not do anything about it. Would you investigate? If so, what would that investigation look like? What questions would you ask the student who reported and what questions would you ask the alleged perpetrator? What other information would you try to obtain?

- » A student reports being forced to give oral sex in an empty classroom. The accused student denies it. What happens then?
- Prepare follow-up questions to obtain more specific information. For example, you ask a teacher what they would do if you told them that a classmate is exposing themselves to you. The teacher says, “I’d report it.” You could follow up with:
 - » Whom would you report it to?
 - » How would you report?
 - » What would you say?

2 Interviewing

Schedule and conduct your interviews. If you feel hesitant about interviewing a school administrator or other staff by yourself, consider asking one or two other students to join you.

- Explain why you want to interview the person. Here are some possible reasons:
 - » Students do not know how to report sexual misconduct.
 - » A lot of students do not come forward because they do not understand what happens if they do report or think they will be ignored, and nothing will be done.
 - » Students do not feel safe reporting sexual misconduct to staff, so they share experiences online in social media groups.

- Take notes during the interview or ask permission to record it.
 - » If you tell the person ahead of time that you would like to record the interview, they might feel nervous and more likely to refuse to be interviewed. Consider simply asking them about recording at the beginning of your in-person meeting, online meeting, or phone call. Respect their answer. If they do not want to be recorded, take diligent notes, and try to write down or type some specific phrases. Use quotation marks so that you can remember a specific quote.
 - » Do not record someone without their permission. Some states have laws against secret recordings.

3 Write-up

- You should organize and present your findings in a logical way, whether in a written report or slide presentation. For maximum impact, share your findings online in an electronic file or printed document, or both.
- Start by deciding how you want to organize and present the results. For example, you could arrange your findings as a question and answer (Q&A) or frequently asked questions (FAQ) document or webpage. If you interviewed multiple people and if you collected a lot of material about your school's reporting policies and investigation procedures, you will likely have gathered more information than can be displayed in an infographic or social media post.

- Consider offering your conclusions and recommendations regarding these issues:
 - » Were the staff replies to your questions consistent, or did they differ depending on whom you asked?
 - » Did the answers you receive agree with the school's or school district's official policies and procedures? How did they differ?
 - » How easy was it to research your school's policies and procedures? What problems did you face when trying to find information?
 - » How readily available, transparent, and understandable are your district's policies and procedures compared with the examples from other districts mentioned in the research section above?
 - » Based on the examples linked earlier in this document, what recommendations could you offer your school or school district about improving the visibility and clarity of sexual misconduct policies and procedures, including what happens when students report?
 - » From what you have learned, what training should staff receive so that students feel that their reports and needs are being heard and understood, and that staff listen and respond by using **trauma-informed practices**?

- Promote your report:
 - » Consider publishing your full report or summary in the school newspaper or journal.
 - » Post your report online and share the link to it through social media.
 - » Present your report or summary to student groups, parent-teacher organizations, or even the school board.
 - » Consider sharing your findings with your local city or town council or community organizations.
 - » Contact your local print or broadcast media and ask if they would be interested in doing a story.

Resources

Presentation: [Limits to Confidentiality When Reporting Sexual Harassment](#)

Video: [Teen Rape Victim Gets Confidential Help](#)

Video: [Her Kids Are Sexually Harassed at School - Parent and Title IX Coordinator](#)

Video: [Sexual Harassment and Title IX: Why we should care](#)

Stop Sexual Assault in Schools

- [Stop Sexual Assault in Schools Website](#)
- [SSAIS YouTube](#)
- [Instagram](#)
- Email info@stopsexualassaultinschools.org

