

# **SEXUAL MISCONDUCT – NOT A COOL THING**

## **Scott County Public Schools (SCPS)**

### **Policies and Regulations**

#### **JBA-F**

#### **JFHA/GBA & JFJA-F/GBA-F**

#### **Parent/Student Handbook**



# THERE ARE SEVERAL FORMS OF SEXUAL MISCONDUCT.....

- Sexual Misconduct includes:
  - Sexual Violence
  - Sexual Harassment, or
  - Harassment based on:
    - Race
    - National origin
    - Disability
    - Religion

**All are illegal and a violation of civil rights!**



# DEFINITIONS

**Sexual Misconduct** means unwanted and unwelcome verbal or physical contact of a sexual nature that is sufficiently severe, persistent, or pervasive to limit a student's ability to participate in or benefit from an education program or activity. Sexual misconduct creates a hostile environment for the student(s) and may include: telling jokes of a sexual nature, sexual teasing, touching, etc. all of which are forms of sexual harassment covered under Title IX.

**Sexual Violence** is defined as physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol or due to an intellectual or other disability. Acts that fall into the category of sexual violence include rape, sexual assault, sexual battery, and sexual coercion; all of which are forms of sexual harassment covered under Title IX.



# DEFINITIONS CONTINUED

**Sexual Harassment** is unwelcome conduct of a sexual nature. Sexual harassment can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature when:

- Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment or education; or
- Submission to or rejection of the conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
- That conduct or communication substantially or unreasonably interferes with an individual's employment or education, or creates an intimidating, hostile or offensive employment or educational environment (i.e. the conduct is sufficiently serious to limit a student's or employee's ability to participate in or benefit from the educational program or work environment).
- Sexual harassment of a student can deny or limit, on the basis of sex, the student's ability to participate in or to receive benefits, services, or opportunities in the school's program. Sexual harassment of students is, therefore, a form of sex discrimination prohibited by Title IX under the circumstances described in this guidance.



# DEFINITIONS CONTINUED

- Harassment Based on Race, National Origin, Disability or Religion** consists of physical or verbal conduct relating to an individual's race, national origin, disability or religion when the conduct:
- Creates an intimidating, hostile or offensive working or educational environment; or
  - Substantially or unreasonably interferes with an individual's work or education; or
  - Otherwise is sufficiently serious to limit an individual's employment opportunities or to limit a student's ability to participate in or benefit from the education program.



# SEXUAL HARASSMENT IS THE MOST COMMON FORM OF HARASSMENT IN SCHOOLS



# WHY?

- It violates school rules.
- It's a violation of civil law.
- It's demeaning and disrespectful of others.

**IT'S definitely NOT COOL!**



# SO, TELL ME AGAIN WHAT IS SEXUAL HARASSMENT.....

Sexual harassment is any unwelcomed or unwanted sexual pressure or verbal, visual, or physical contact of a sexual nature. It may happen once or many times.





# VERBAL FORMS OF SEXUAL HARASSMENT MAY INCLUDE.....

- Sexual or gender based jokes or teasing
- Wolf whistles or other derogatory noises
- Rumors about a person's sex life
- Comments about a person's body
- Derogatory comments based on gender



## THIS MAY ALSO INCLUDE VISUAL FORMS OF SEXUAL HARASSMENT SUCH AS.....

- Obscene posters, cartoons, and pin-ups
- Computer graphics and obscene messages on computer bulletin boards (Facebook, TOPIX, etc.)
- Offensive models, statues, and figurines
- Inappropriate clothing



# PHYSICAL FORMS OF SEXUAL HARASSMENT MAY INCLUDE.....

- Inappropriately touching another person
- Grabbing and/or fondling
- Rubbing up against a person
- Messaging or stroking another person
- Stalking



# SEXUAL HARASSMENT CAN ALSO RESULT FROM.....

- Staring
- Physical gestures that have a sexual connotation
- Suggestive looks and facial expressions that have sexual implications
- Blocking the pathway of another to make a sexual advance



# WHAT SHOULD YOU DO?

- If I ignore sexual harassment it will go away. (True or False)  
Answer: NO. If harassment is ignored it may get worse because the harasser may think that it's okay.
- Can Flirting be harassment?  
Answer: It can be if the recipient does not appreciate it, or if it makes them feel uncomfortable or badly.....
- It's okay to tell dirty jokes, isn't it?  
Answer: NO. While many of your friends may find your jokes funny, if they offend anyone you can be in trouble.



# WHAT DO WE KNOW ABOUT SEXUAL HARASSMENT?

A one-time comment, joke, or verbal innuendo does not constitute sexual harassment. (True or False)

Answer: True. Verbal forms of sexual harassment are considered least offensive, but this can become the basis for sexual harassment if comments are persistent.

The number of sexual harassment claims by males is increasing. (True or False)

Answer: True

“I didn’t mean anything by it” is a valid defense to excuse offensive behavior.

Answer: False. It is impact, not the intent, that is important.



# IN SCHOOLS SEXUAL HARASSMENT IS....

A Student Issue



An Issue With Adults



**Don't tolerate sexual harassment, even from adults!**



## A WORD OF CAUTION.....

- Sexual Harassment will result in severe discipline measures at school.
- Beyond the school discipline, in severe cases you and/or your parents may be subject to a civil suit from the victim.
- Don't take unnecessary risks! It's not cool!





## IF YOU WITNESS OR EXPERIENCE ANY TYPE OF HARASSMENT, DO THE FOLLOWING:

- Tell the harasser to stop!
- Report all incidents to the appropriate school administrator (Teacher, Guidance Counselor, Assistant Principal, Principal)
- Provide the names of all parties involved and any witnesses.
- Help document exactly what was said or done.

**Remember, not doing anything may make the harassment worse! (Compliance Officers for reporting and forms for reporting are located in the Parent/Student Handbook)**



# INVESTIGATION

- Scott County Public School's Officials shall:
  - Immediately contact the Department of Social Services if the complaint deals with an adult and student.
  - Promptly conduct a thorough and impartial investigation separate from any legal investigation, written or verbal, involving sexual misconduct, sexual violence, sexual harassment and harassment based on race, national origin, disability or religion.
  - Take appropriate action to stop any harassment.
  - Take appropriate action against any student or school personnel who violates this policy and take any other action reasonable calculated to end and prevent further harassment of school personnel or students.



## SCPS POLICY ON SEXUAL MISCONDUCT....

“Scott County Public Schools is committed to a learning/working environment free from sexual misconduct including: sexual harassment and harassment based on race, national origin, disability or religion. SCPS prohibits any form of sexual misconduct (including sexual violence and sexual harassment), and harassment based on race, national origin, disability, or religion of any student or school personnel or third parties participating in, observing or otherwise engaged in school sponsored activities.



# SCPS NON-DISCRIMINATION POLICY

**Inquiries to recipients concerning the application of Title IX and its implementing regulations may be referred to the Title IX coordinator or to Office For Civil Rights (OCR). Title IX covers discrimination pertaining to athletics, sexual harassment, or gender primarily for the non-disabled.**

**Section 504 investigates all issues for students or adults with disabilities to include race, color, religion, national origin, age, sexual harassment or gender to include the American's with Disabilities Act. Complaints should be referred to any of the following:**

**Brenda Peters Robinette  
Title IX /504 Supervisor  
Scott County School Board Office  
340 East Jackson Street  
Gate City, VA 24251  
276-386-6118**

**Jason Smith  
Assistant 504 Coordinator  
Scott County School Board Office  
340 East Jackson Street  
Gate City, VA 24251  
276-386-6118**

**Office for Civil Rights, District of Columbia Office  
U. S. Department of Education  
P. O. Box 14620  
Washington, DC 20044-4620  
Telephone: 202-208-2545 Fax: 202-208-7797**

**Jennifer Frazier  
Assistant Title IX Coordinator  
Scott County School Board Office  
340E.Jackson St.  
Gate City, VA 24251  
276-386-6118**

**Cualquier persona que necesita la información educacional debe llamar este número, 386-6118.**



**THANK YOU!**

