



# ADDRESSING SEXUAL HARASSMENT IN SCHOOL SETTINGS

**Schools must meet moral and legal obligations to foster an inclusive environment for learning that's physically and emotionally safe for everyone on campus, including students, teachers, administrators, and all other campus employees and visitors.** The unfortunate reality is that sexual harassment continues to be a widespread issue for various types of educational institutions that's difficult to address.

The emotional toll that sexual harassment has on victims is difficult to quantify. Additionally, the fallout from these incidents can also damage a school's reputation and lead to costly litigation. Schools have every reason to ensure they're doing all they can to reduce sexual harassment on campus and any school sponsored activities.

Fundamentally, sexual harassment and discrimination are issues that stem from culture. However, actualizing meaningful, institutional change at multifaceted and complex organizations like schools requires a concerted and orchestrated effort, and the results will likely take a long time to see. In spite of how complex of an issue this is, there are steps schools can take in the short term to reduce risk and ensure the safety of everyone on campus.



# 6 ACTIONS SCHOOL ADMINISTRATORS CAN TAKE TO MITIGATE THE RISKS OF SEXUAL HARASSMENT:

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## ASSESS YOUR POLICIES

Is your school's sexual harassment policy effective? Under Title XI, recipients of federal financial assistance need to create and maintain anti-discrimination and reporting procedures that address sex discrimination, which includes sexual harassment. Clearly define which behaviors constitute sexual harassment, and list the repercussions that perpetrators will face should they engage in inappropriate behavior.

These policies and procedures must be well-publicized and clearly state that sexual harassment will not be tolerated, as well as steps to report this behavior. Involve the entire school community, which includes students, teachers, school employees, and parents, when developing or evaluating your policies to make sure that they're practical and easy to understand. Have your policies legally reviewed so that they meet all legal requirements.

2

## HAVE CLEAR GUIDELINES FOR REPORTING INCIDENTS

At a minimum, your policy needs to outline the formal complaint procedure that informs the school community about the following:

- How, where, and with whom to file a complaint
- What the investigative process will entail
- Penalties for being found at fault for committing sexual harassment
- How those found guilty can file an appeal
- Other legal remedies available for the complaining party
- How you'll ensure confidentiality and protect accusers from retaliation

3

### **IMPLEMENT TRAINING PROGRAMS**

All employees need to receive training about sexual harassment policy upon being hired, and at regular intervals thereafter. This training needs to emphasize the school's commitment to providing a harassment-free environment, for the entire school community. Training should provide detailed explanations about what constitutes sexual harassment, familiarize employees with reporting procedures, and remind employees of the disciplinary consequences of failing to report complaints. Consider collaborating with staff from domestic violence and sexual assault agencies to implement staff training.

4

### **PROMOTE STUDENT AWARENESS**

Though it's a sensitive subject matter, the unfortunate reality is that students experience sexual harassment. Because of this, they need to know what recourse they have if it's something they or their peers experience. There are age appropriate ways to deliver this information. If you're unsure about how to share this information with your student body, consider tapping into the expertise of expert consultants in the space to draft and communicate this information.

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### **INVESTIGATE INCIDENTS EFFECTIVELY**

Upon receiving notice of a possible incident, take immediate and appropriate steps to investigate the reported incident. Though the way you conduct the investigation will vary based on the particulars of the allegations, all investigations should be prompt, thorough, and impartial. The investigation needs to include interviews with the accuser, the accused, and anyone else who can provide useful information. Limit the disclosure of information solely to people who need to be involved, and instruct anyone who is part of the investigation, including witnesses, to not discuss the details of the investigation with anyone.

Though it's important to act promptly, don't rush to judgement. It's also important to determine whether the investigation should be conducted by an internal or external resource. Never forget to document everything. It's crucial you maintain complete records of the investigation – an outside party should be able to reconstruct the entire investigation based on how you document it.

# 6

## TAKE CORRECTIVE MEASURES TO PREVENT SIMILAR INCIDENTS FROM HAPPENING AGAIN

Once you've completed the investigation, it's your school's responsibility to take actions that will keep the harassment from happening again. Disciplinary actions should match the severity of the conduct. If the incidents of harassment prove to be endemic of larger institutional problems, reevaluate and redistribute your policies along with appropriate trainings. Your response to an incident should not negatively impact a student who has been the victim of harassment.

It's a school's responsibility to protect their community, which includes students, teachers, and all other employees from violence, and this includes sexual harassment. Failure to do so can jeopardize the emotional, educational, and physical wellbeing of your campus population, and also subject your institution to financial liability.

Navigating the complexities of this sensitive subject matter can be difficult to do without the proper resources or expertise. Our team has seen countless scenarios play out, and is available to work with you to reduce exposures related to sexual harassment.

**CONTACT US TODAY FOR GUIDANCE NAVIGATING  
THIS COMPLEX SUBJECT.**



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