

TEACHER BACKGROUND INFORMATION SEXUAL HARASSMENT

In a School Setting:

Sexual harassment is when someone says things or behaves toward you in a sexual manner that makes you feel uncomfortable. You feel nervous and annoyed. The teasing becomes more than just a joke. It is unwanted. You feel as if there is no escape. You will go to great lengths to avoid students or classes where the abuse is occurring.

How can you tell if it is sexual harassment? These are the determining factors:

1. It is sexual in nature.
2. It is unwanted.
3. It is persistent.
4. You avoid the person or situation at all costs.

If you feel as if you are being harassed at school, report the incident to a teacher, counselor, principal, parent, etc. It is always good to write down what exactly happened including the time, date, place, and what was said or done to you.

Everyone should feel that school is a safe place to be. Remember that teachers and other school staff can't always see what is happening. Unless you tell someone, the abuse will continue. You should never be intimidated into not telling. The minute that someone says that they will hurt you if you tell (whether it be an adult or peer), a red flag should go up telling you that the behavior you are experiencing is wrong!

In the Work Place:

Sexual Harassment in the Work Place (policy #316)

Developed by the American Civil Liberties Union states:

"The ACLU supports the right of all persons to enjoy equal employment free from discrimination on the basis of sex. One form which discrimination takes is sexual harassment. Though sexual harassment is an historical form of discrimination against women, the victim of sexual harassment may be either male or female, heterosexual or homosexual. In accordance with its policy against discrimination on the basis of sex, the ACLU opposes sexual harassment in the work place. The behavior is that which, because of its pervasiveness or intensity, creates a situation for the employee which a reasonable person in the employee's situation would experience as harassment.

Sexual harassment exists in any of the following situations:

1. Where an unwelcome sexual advance or unwelcome request for sexual favors is accompanied by an explicit or clearly implied threat of adverse job-related consequences should the advance be rebuffed or the request denied, or an

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explicit or clearly implied promise of beneficial job consequences should the advance be encouraged or the request granted;

2. Where an employee suffers adverse job-related consequences for refusing a sexual advance or request for sexual favors or for discontinuing a sexual relationship;
3. Where employment opportunities or benefits are denied to persons who were qualified for that employment opportunity or benefit and granted to other because of another's engagement in sexual conduct with an employer;
4. Where an employee is subjected to intentional unwanted physical contact of a sexual nature which is clearly offensive;
5. Where an employee's response to unwelcome sexual expression results in adverse job-related consequences;
6. Where conduct or expression is sufficiently pervasive or intense that its effect on a reasonable person in those particular circumstances would be to hinder significantly a person from functioning as an employee or significantly adversely affect mental, emotional, or physical well-being on the basis of sex. Conduct or expression that meets this definition is actionable because of the unique characteristics of the work place --including the existence of authority relationships, the economic necessity to remain, and the limited opportunity to respond--even though it might not be actionable in other settings. Such behavior need not amount to constructive discharge, and is not immunized because expression is involved. Harassment under this policy is actionable whether or not it was directed at any particular employee;
7. Where an employee suffers adverse job-related consequences for good-faith reporting of sexual harassment. Job-related consequences include but are not limited to dismissals, supervisory evaluations, promotions, salary, and work assignment. Employers bear the responsibility for maintaining a working environment free of sexual harassment. Thus, when a superior is aware that harassment by others is a condition of the work place and nonetheless permits that harassment to continue, the superior is also liable for harassment. Those creating the condition may be co-workers or superiors of the harassed worker, or clients, customers or other people over whom the employer may reasonably assert control." [Board Minutes, April 14-15, 1984, June 23-24 1984.]