



QUICK FACTS

Sexual Harassment and Sexual Violence in School

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The American Association of University Women advocates for equitable climates free from harassment and bullying, as well as freedom from violence and fear of violence in schools.

When education environments are hostile due to sexual harassment, assault, or violence, students cannot learn and end up missing out on true educational opportunities. AAUW's own research revealed that two-thirds of college students experience sexual harassment and nearly half of students in grades 7–12 face sexual harassment.¹ In addition, many studies have found that around 20 percent of women are targets of attempted or completed sexual assault while they are college students.²

Middle and High Schools

Sexual harassment is unwelcome conduct of a sexual nature and can be verbal, nonverbal, or physical—including sexual assault.³ AAUW research shows that harassment in schools starts early and affects most students. The prevalence of sexual harassment in grades 7–12 comes as a surprise to many, in part because it is rarely reported. One-half of students who were sexually harassed in the 2010–11 school year said they did nothing afterward in response to the sexual harassment.⁴

Boys and girls are both negatively affected by sexual harassment. But girls are more likely than boys to say sexual harassment caused them to have trouble sleeping, not want to go to school, or change the way they went to or home from school.⁵ Too often, these negative effects take a toll on students' education, resulting in decreased productivity and increased absenteeism from school.

Higher Education

Research shows that incidents of sexual harassment and its most extreme form, sexual assault, are shockingly prevalent on college campuses nationwide.⁶ Sexual assault disproportionately affects college women, though both men and women are targets of violence on

campus, and impedes survivors' ability to participate fully in their education. Educational equity for women and girls requires fair, responsive, fully developed campus sexual assault policies; knowledgeable administrators; and ultimately an end to sexual violence on campuses.

Title IX's Role

Title IX of the Education Amendments of 1972 is the federal law that prohibits sex discrimination in education. Title IX protects students from unlawful sexual harassment in all of a school's programs or activities, whether they take place in the facilities of the school, at a class or training program sponsored by the school at another location, or elsewhere. Title IX protects both male and female students from sexual harassment, regardless of who the harasser may be.⁷

Title IX has long required schools to evaluate their current practices, adopt and publish a policy against sex discrimination, and implement grievance procedures providing for prompt and equitable resolution of student and employee discrimination complaints. Sex discrimination includes sexual violence.

Under Title IX, schools are required to eliminate sexual harassment and sexual violence, prevent its recurrence, and address its effects.⁸ The law and guidance issued over decades by the Department of Education requires schools to

- Define sex discrimination (including sexual violence) and publish a policy stating that the school does not discriminate
- Have and make known procedures for students to file complaints when sexual harassment, discrimination, or violence takes place

- Appoint a Title IX coordinator to oversee these activities, review complaints, and deal with patterns or systemic problems (even when there are not formal complaints). The school must notify students who the coordinator is.

The Clery Act

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) requires colleges and universities who participate in federal financial aid programs to disclose campus crime statistics and security information.⁹ Every school provides this information publicly.¹⁰ Currently, sexual assaults that are reported to local law enforcement are included in these disclosures.

In 2013, Congress reauthorized the Violence Against Women Act and included provisions to improve campus safety. Schools are now required to report additional crime statistics (on domestic violence, dating violence, and stalking), update procedures following an incident of sexual violence, and provide prevention and bystander intervention training to all students and employees.

These new requirements are in addition to the long-standing obligations that schools have under Title IX. These laws can work together to ensure that students have the information they need regarding campus safety, as well as a clear course of action when sexual violence occurs.

The Civil Rights Data Collection

Since 1968, the Department of Education has administered the Civil Rights Data Collection (CRDC), which collects data on key education and civil rights issues in our nation’s public schools. In the past several years, the CRDC has been improved to shed additional light on the pervasiveness of sex discrimination, including sexual harassment and violence, in our schools. AAUW specifically appreciates that the CRDC now includes several important, school-specific gender equity points that are helpful to advocates, parents, students, educators, and Title IX coordinators at schools nationwide.

Next Steps to End Sexual Harassment and Violence

AAUW is committed to protecting the rights of all students to be free from sexual harassment and sexual

violence.

Since 2009 the Office for Civil Rights at the Department of Education has steadily increased technical assistance and enforcement and provided critical guidance to schools, which has led to better outcomes and safer climates for students at every level nationwide. And, for the first time ever, the Department of Education published the names of every Title IX coordinator across the country, helping to connect students and parents to the resources they need in their communities.

Moving forward, AAUW will continue to protect existing laws that bar sexual harassment and violence in schools. In addition, we will advocate for the necessary funding for the Department of Education to do its job to protect and educate students, faculty, and staff.

There are additional policies that would also help improve school climates. A component of stemming the tide of harassment and violence in higher education is to update our federal policies, not only to guide colleges and universities in supporting students but also to provide strong incentives for these institutions to improve their campus climates. One way to make strides is to implement climate and victimization surveys to better understand both reported and unreported incidents as well as contributing cultural issues on campuses.

AAUW also urges Congress to pass legislation that requires states and schools to develop policies for K–12 schools to prevent sexual harassment and violence and procedures to effectively respond to such behavior.

Additional Resources

“Know Your Rights on Campus”

American Association of University Women

www.aauw.org/what-we-do/legal-resources/know-your-rights-on-campus

“Ending Campus Sexual Assault Tool Kit”

American Association of University Women

www.aauw.org/resource/campus-sexual-assault-tool-kit

Center for Changing Campus Culture

U.S. Department of Justice

www.changingourcampus.org

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- ¹ AAUW. (2006). *Drawing the Line: Sexual Harassment on Campus*. history.aauw.org/aauw-research/2006-drawing-the-line. AAUW. (2011). *Crossing the Line: Sexual Harassment at School*. www.aauw.org/research/crossing-the-line
- ² Krebs, Christopher P. et al., National Criminal Justice Reference Service. (2007). *The Campus Sexual Assault (CSA) Study, Final Report*. NIJ Grant 2004-WG-BX-0010. www.ncjrs.gov/pdffiles1/nij/grants/221153.pdf. Kaiser Family Foundation. (2015). *Survey of Current and Recent College Students on Sexual Assault*. kff.org/other/poll-finding/survey-of-current-and-recent-college-students-on-sexual-assault. Krebs, Christopher P. et al., Bureau of Justice Statistics. (2016). *Campus Climate Survey Validation Study Final Technical Report*. www.bjs.gov/index.cfm?ty=pbdetail&iid=5540
- ³ U.S. Department of Education. (2008). *Sexual Harassment: It's Not Academic*. www2.ed.gov/about/offices/list/ocr/docs/ocrshpam.pdf
- ⁴ AAUW. (2011). *Crossing the Line: Sexual Harassment at School*. www.aauw.org/research/crossing-the-line
- ⁵ Ibid.
- ⁶ Kingkade, Tyler. (2014). "Sexual Assault Statistics Can Be Confusing, but They're Not the Point." www.huffingtonpost.com/2014/12/15/sexual-assault-statistics_n_6316802.html
- ⁷ U.S. Department of Education. (2008). *Sexual Harassment: It's Not Academic*. www2.ed.gov/about/offices/list/ocr/docs/ocrshpam.pdf
- ⁸ U.S. Department of Education. (2011). *Know Your Rights: Title IX Prohibits Sexual Harassment and Sexual Violence Where You Go to School*. www2.ed.gov/about/offices/list/ocr/docs/title-ix-rights-201104.html
- ⁹ Clery Center for Security on Campus. "Summary of the Jeanne Clery Act." clerycenter.org/summary-jeanne-clery-act
- ¹⁰ U.S. Department of Education. Campus Safety and Security Data. ope.ed.gov/security