

**Call a lawyer.** If you have not been satisfied with the response you have received from the School Administrator within a reasonable period of time, then hire an attorney. If this is a case of major harassment situation, such as physical or sexual assault, call an attorney within 24 hours. DO NOT let your school become your attorney!

**Don't be afraid to take legal action if necessary.** There are assault laws that pertain to juvenile offenders if the incidents you have documented are physical assaults. Don't wait!

Tell law enforcement right away. Chances are good that this will not be the first time the offending child's name has crossed their desks. With the proof you have collected, especially if there has been constant harassment, check into obtaining a stalking order.

**Don't be afraid to tell your story.** The ACLU (American Civil Liberties Union), the press, influential people in your community including elected officials like school board members. Also, there is strength in numbers. Try to find out the names of other families within your child's school who are experiencing similar bullying and harassment issues. As a group, you can have even a stronger voice for change and action.

**Stay United as a family.** Remember that you are not alone. There's a good number of us out there experiencing the same thing. Have a game plan in mind including removing your child from the school, homeschooling, requesting that the school provide a tutor, etc. These are often hard decisions to make, but they may be the only options available as you work at resolving the problem.

**Be strong.** Turn your anger and disgust into something positive. You owe it to yourself and your child's academic success and happiness.

The EEOC has provided educational materials that give the legal definitions of two types of harassment in a school setting.

- Quid Pro Quo Harassment- Trading this for that
- Hostile Environment  
Harassment– Behavior resulting in an environment that causes a student fear, anxiety, shame or embarrassment. It affects the student's ability to be in school. Four criteria for hostile environment harassment includes behaviors, displays or languages that:
  - Are unwelcome
  - Are pervasive
  - Are related to gender
  - Interfere with a student's educational opportunity

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*This pamphlet is sponsored in part by the Office of the Attorney General: Division of Victim Services.*

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## Bullying and Sexual Harassment in School

**Toll Free 24-Hour Crisis Line**  
**1-877-864-9688**

**Cody Office**  
1220 13th St.  
Cody, WY  
307-272-4754

**Powell Office\***  
335 N. Gilbert Street  
Powell, WY  
307-754-7959  
Fax: 307-754-4448

\*Powell office is ADA accessible



Besides ignoring the problem or denying there is a predicament, one of the worst responses is to require the victim to confront their harasser. That places the burden of changing the harasser's behavior on the person who is the target. The burden of changing the harasser's behavior on the person who is the target. The burden has to be squarely on the shoulders of the adults in the situation. Young people need to know they can talk about or report this behavior to their parents, a counselor, or another trusted adult without being harassed further.

### **The Difference Between Sexual Harassment and Bullying**

Bullying involves repeated physical or verbal harassment against someone who is perceived as less powerful. Bullying that is sexual in nature (sexual harassment) is illegal.

Sexual harassment is unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of sexual nature. Examples include: jokes, vulgar language, sexual innuendoes, sexual gestures, pornographic pictures, physical grabbing or pinching, and other unwelcome or offensive physical touching or contact.

### **According to the Civil Rights Act Title IX of the Federal Education Amendments, sexual harassment is illegal in schools.**

Sexual harassment and bullying needs to be seen as a safety issue. Some kids are afraid to go to school because of this problem. It interferes with everything school is supposed to do for you: teach, socialize, be a friendly place, make friends, and trust adults. Sexual harassment and bullying erodes the notion that school is a safe place to be. **It is a safety issue.**

Parents need to be aware of a dangerous attitude, "let boys be boys." Parents of bullies get outraged at the thought of school administrators daring to consider

their child's behavior labeled as sexual harassment. However, parents don't get to determine that, Administrators do. The administration is responsible for the child's behavior in school.

Further, parents need to be aware that kids constantly push the envelope. For example, the First Amendment right, freedom of speech, is used to justify offensive speech and t-shirts. It needs to be made clear that the First Amendment doesn't give the right to cause disruptions in school and/or a hostile environment.

The National Resource Center on Domestic Violence, "Students who are bullied or harassed often become anxious, fearful and depressed. Some withdraw and try to escape by skipping school, running away or committing suicide. Others respond with aggression, seeking revenge for the mistreatment they receive and the indifference of student and adult bystanders."

Additionally, they state, "**Without effective adult intervention, students learn to expect and accept mistreatment from and among their peers.**"

If your child is a victim of bullying, sexual harassment or sexual assault, you have options.

**Document Everything.** Keep a chronological log of: who was harassed or assaulted, what was said and/or done, where the incidents took place, who witnessed it, and take pictures of any injuries.

**Report to school officials.** Make school officials aware of the harassment or assault. Keep track of: who you talked to, when you met with them, where you met with them and their response to you. If the first school official doesn't respond, go to the next level of authority until you get a satisfactory response. The school has a legal responsibility to deal with the safety of its teachers and other students. In cases of a major harassment situation such as a physical or sexual assault,

call the police immediately. These type of serious offenses must be handled by the police and entered on the abuser's or perpetrator's police record or juvenile record.

School administrators can take some action against the perpetrator but they are not police officers.

Obtain copies of your state, school district, and your child's school policies regarding bullying, harassment, and your child's right to a safe learning environment. Review the harassment or assault that you have documented. Is the school and the school district failing to follow established policies? **Be Persistent!**

**Don't wait to do something.** Act quickly at the first sign of trouble. Don't settle for "we'll look into it" for answers.

**Write letters to the Principal, School Board members, and the Superintendent** after each incident of harassment.

**Go to School Board meetings and speak out.** It's not just your child that you are thinking about, but all the other children who are harassed and have parents who won't/don't know how to speak for them.

**Write multiple letters to your State Representatives.** Tell them what is happening in your school and how your administrators are handling your child's case. Ask them to enact State laws to protect kids who are whistle blowers and stronger laws that punish bullies and perpetrators of harassment. Write a letter to each member of the committee separately and after every incident of harassment.

**Write a letter to the Editor of your local newspaper.** Do not embarrass your child with details, but write instead about your school's lack of response for harassed students in general.