



Addressing Sexual Harassment in Educational Settings

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ABSTRACT

Sexual harassment in educational settings remains a pervasive issue that undermines the safety and well-being of students, educators, and staff. This research examines the multifaceted nature of sexual harassment in schools and universities, highlighting its impact on academic performance, mental health, and overall institutional climate. Through a mixed-methods approach, the study analyzes qualitative interviews and quantitative surveys to identify prevalent forms of harassment, contributing factors, and the effectiveness of current policies and interventions. The findings reveal a significant gap in awareness and response mechanisms, with many victims reluctant to report incidents due to fear of retaliation or stigmatization. The research emphasizes the need for comprehensive training programs, clearer reporting procedures, and a culture of zero tolerance to foster safe learning environments. By engaging stakeholders—including students, faculty, and administration—this study proposes actionable strategies to combat sexual harassment, promote awareness, and enhance support systems for victims. Ultimately, addressing sexual harassment in educational settings is crucial for ensuring equitable access to education and fostering a culture of respect and inclusion.

Keywords: sexual harassment, educational settings, victim support, reporting mechanisms, awareness programs, institutional policies, safety, academic performance



1. Introduction

Sexual harassment remains a prevalent, yet under-addressed problem in educational settings. A combination of cultural expectations, easy access to potential targets, and relatively low monitoring and control mechanisms have allowed educational settings to become conducive to the success of harassment attempts (R. Birdeau, 1998). Students, teachers, and staff are all likely to encounter sexual harassment at some point in the academic process. Harassment includes any form of unwanted sexual attention, from uninvited sexual jokes to unwanted sexual advances; it may occur between any combination of people, and not all parties involved may even be aware of the harassment. It is important to address this problem in order to foster a safer and more equitable educational experience and to address the mental and physical health problems that often accompany sexual harassment. Furthermore, the discussion also argues that the implementation of comprehensive policies, programs, and interventions are required to successfully address sexual harassment. Educational institutions are environments that are conducive to the completion of sexually harassing acts and thus must be the forerunners of implementation of effective strategies to combat sexual harassment. Throughout the following discussion, research on the prevalence and effects of sexual harassment in educational settings, a review of the legislative standing on the fight against sexual harassment, and suggestions for the most effective prevention programs will be offered. Given the vast extent of the problem of sexual harassment, an understanding of the context is the necessary first step towards a plan of pushing effective comprehensive solutions (Copp et al., 2021).

Student harassment and harassment towards teachers are serious problems that can have abundant adverse academic outcomes. Numerous studies claim that student harassment is pervasive. Approximately 80% to 87% of students have encountered some form of sexual harassment during their educational experiences. There are an increasing number of anecdotal cases that have made the news, involving the harassment of teachers, yet little research has been done on the subject. As such, any statistics cited on this form of harassment are speculative and further research is needed. Despite the limited data, it is apparent that harassment towards teachers is a disturbing problem that is assumed to lead to a broad range of adverse outcomes.



Socioeconomically, the effects range from decreasing job opportunities, wage differences, and job stress to the decline in job satisfaction and productivity. Furthermore, the moral, ethical, and humanistic dimensions of harassing teachers are possibly most profound. When educational professionals are harassed, it is at the cost of pay for some or all of society's most treasured norms. Given the dire concerns of the problem, it is disturbing that steps have been so limited to combat it. There is little legislative standing to prevent such harassment, and the victim tends to have little social support; indeed, teachers are often blamed when students harass them. With such a lack of protections, a zero-tolerance policy would suggest numerous cases of harassment are left utterly unchecked. Hopes would be that current research on the prevalence and effects of harassment in general could create enough attention to finally lower the school community risk of psychosocial, physical, and economic harm (Bloom et al., 2021).

1.1. Background and Context

Sexual harassment in educational settings spans grades Pre-K through 20, occurring between students and students, teachers or other employees, and employees and supervisors. It encompasses a broad range of behaviors from obscene jokes to unwanted sexual contact. A sudden increase in lawsuits has created uncertainty in schools and other educational institutions and increased research interest. This focus entails a study of the effects of educational strategies on the identification, in educational settings, of sexually harassing behavior. It is critical for educational institutions to have effective policy and training programs in place to prevent and deal with sexual harassment incidents (R. Birdeau, 1998). Among the demographics contributing to the increasing vulnerability of educational institutions are the growing participation of women in the workforce and a general societal increase in sex-based legal actions. An understanding and evaluation of various educational strategies can inform educational institutions seeking to implement effective training and policy programs. Inappropriate behavior, ranging from lewd jokes at one extreme to violent rape at the other, has likely always been a part of interactions. However, the issue of sexual harassment has a history invisible to most people until recently. This history includes the ongoing absence of laws and policies, including no Title IX guidance on how educational institutions are to respond. It also includes a high tolerance level for sexual



harassment having been a part of the legacy of Quaaludes and “free love” in the U.S. in the 1970s. More broadly, it includes gender-inequitable cultural norms like the Mad Men era of the 1960s, where sexual aggression and objectification for male’s pleasure was prevalent, even celebrated. As a result of this ongoing context, and as a result of power dynamics endemic to educational institutions, a large number of sexual harassment situations do not get turned into lawsuits or tangible policy actions, leaving myths that sexual harassment is mostly false claims or an overreaction of being a barrier to confronting it (Schlick et al.2021).

2. Understanding Sexual Harassment

What is meant by the term sexual harassment? While sexual harassment is a significant area of concern in many aspects of our society, the focus of this chapter is on sexual harassment in educational settings, which is often discriminatory and can lead to a limiting educational environment. The form in which it appears can differ; for some it may be a series of jokes, or a particular comment, while for others it may be a violent sexual assault. In an effort to better understand sexual harassment and why it manifests, this section looks to the literature in an effort to define it. Sexual harassment often goes undefined, or is defined incorrectly; to understand what it entails is to understand what is unacceptable. To address sexual harassment it must first be identified, which requires understanding its many facets. EEOC guidelines describe unwelcome sexual advances, requests for sexual favors, and other verbal/physical conduct of a sexual nature as sexual harassment when considered pervasive or creating a hostile work environment. Verbal, physical, and digital sexual harassing actions have regularly been examined in literature (R. Birdeau, 1998). Verbal conducts found offensive involved graphic comments about one’s body, sexually explicit questions, and regular and repeated advances. Physical conducts included direct attempts to establish physical contact and physical threats. Lastly, digital conducts incorporated relentless text messages and suggestive electronic mails, pornographic images and videos sent over the internet, and offensive remarks or jokes posted on social networks’ walls. These verbal, physical, and digital actions were evaluated and found as examples of behavior that met the severity requirements of the legal definition (Cortina and Areguin2021).



2.1. Definition and Types

This article addresses sexual harassment in educational environments. In discussions of educational strategies, it is important to address and diminish the under-diagnosis of the identification of sexual harassment, which results in the under-management of sexually harassing behavior. For this purpose, it is necessary to first understand what behaviors constitute sexual harassment. To better understand what constitutes sexual harassment, it is necessary to understand the definition of sexual harassment and to address the types of sexual harassment (R. Birdeau, 1998). If sexual harassment is perceived in time, more severe types of sexual harassment can be prevented and the negative effects of sexual harassment can be mitigated. It is important to understand what behaviors of one party might be considered as sexually harassing another. In 1980, the Equal Employment Opportunity Commission first provided a legal definition of sexual harassment that delineates sexual harassment into two types. The EEOC categorized sexual harassment into requests making a condition of employment or education or creating an offensive environment; in other words, quid pro quo and hostile environment sexual harassment. It uses the guidelines set up by the EEOC to perform educational intervention as requests making a condition of employment or education or creating an offensive environment are not always perceived as such. If someone tells a sexual joke once to another, that act may not lead to the perception of sexual harassment by the person offended. However, repeated actions of similar magnitude in time may; fifteen thousand daily acts do not lead to the perception of sexual harassment. Therefore, prior to discussing the recognition of sexual harassment, it is important to clarify the definition (Gianakos et al.2022).

3. Impact of Sexual Harassment in Educational Settings

Sexual harassment is not only a deeply troubling issue for many institutions of higher learning and other educational environments, but it can also have a profound impact on the victims of such harassment. The emotional and psychological consequences of harassment experienced in educational settings are exacerbated by the nature of the student-faculty relationship and the often total involvement that students have with these organizations. Many sexual harassment victims may experience a form of trauma, yet are left to somehow “forget” their harassment and



resume normal participation and learning (R. Birdeau, 1998). Since the educational environment demands a good deal of participation this can be a difficult proposition: victims who have been traumatized by their harassment may find it extremely difficult to feel comfortable in class or when communicating with their harasser or other authority figures (Moylan et al.2022)

Due to this imposed “amnesia” and the demand for participation, many victims of educational-based harassment (and their parents, in the case of younger students) have the understandable reaction of wanting to avoid a hostile educational environment by changing schools or dropping classes. This greatly hampers the educational experience of the victim; pressured out of the organization simply because they were harassed by a member of that organization calls into question the claim that the organization is acting in the best interest of the student or that sexual harassment is in some way academically neutral and therefore a minimal concern to the organization. Furthermore, many emotional and psychological problems following trauma are associated with difficulties in learning and lack of concentration. Therefore, those victims who are, for whatever reason, not able to change their educational plans or have had those plans disrupted by the organization’s response to the harassment may find that it is difficult to participate in class or concentrate on their studies, leading to problems either graduating or moving on to higher education.

3.1. On Victims

Sexual harassment in an educational setting is considerably more prevalent than previously thought, and it has numerous implications for affected individuals. An exploration of recent work in the sexuality and discrimination conference proceedings reveals the intensity of effects that it can have on victims, the academic difficulties that they subsequently face, an analysis of the failure of current reporting policies, and recommendations for comprehensive support programs(Dobbin & Kaley, 2022).

Research into the effects of sexual harassment often focuses on its social effects. The results of one study suggest that people who experienced sexual harassment blamed themselves and were



less likely to report the harassment if they feared social repercussions. A more in-depth, international study of bullying, though not necessarily sexual, reported having similar results: the impact of harassment on a victim is “consistent and pervasive.” Reasons given for not liking or not feeling safe at school were “name-calling, teasing, being made fun of, being picked on about something to do with appearance, and worry about what other people think.”

Because sexual harassment typically takes these forms, societal awareness of its effects is muted, as with many harms of a psychological nature. This lack of understanding translates to a lack of resources to support the people who need help. This particular harm is especially shocking, though, since it disproportionately affects people who typically are already significantly disadvantaged, further eliminating options for recourse (R. Birdeau, 1998). The personal and social ramifications of this type of harassment are widespread and severe, to say the least. This being the case, it seems it isn’t necessarily the educational experience of the harasser that was in need of inspection; rather it was the opposite perspective that was; after all, it is this same educational experience that the harasser is adversely affecting by harassing. These other sources then, are quite dismal in regard to the potential for hostile learning surroundings, very much a regrettable reality for many students across the country, a reality only exacerbated by the constraints of educational laws when enforced, meaningful punishment for sexual harassment is highly unlikely, in addition to the minimally collaborative enforcement of educational laws (Skoog & Kapetanovic, 2021).

4. Legal Framework and Policies

Recent events have spotlighted the issue of sexual harassment in educational settings, where it is unwelcome behavior of a sexual nature, can occur in person or online, and be perpetrated by teachers, students, or other education professionals. One hallmark of sexual harassment is that it creates an intimidating, hostile, or demeaning environment that affects the target’s educational opportunities and stifles his or her freedom to learn or teach. As such, institutions are responsible for maintaining educational environments free of sexual harassment (J. Russo, 2016). This legal duty originated with the passage of Title VII of the Civil Rights Act of 1964 and was broadened to cover educational institutions with the advent of Title IX of the Education Amendments of



1972. The civil rights laws protecting students and employees in schools are similar. Regardless of employment status, all members of the educational community deserve to study or work in harassment-free environments. Under Title IX, schools are also responsible for remedying sexual harassment when agents or employees know of the behavior and engage in deliberate indifference (Shana Banchek, 2007). Compliance with anti-harassment laws and litigation settlements necessitates the enactment of policies purporting to prevent and adjudicate incidents of sexual harassment.

Several worrisome aspects of the sexual harassment climate in schools demand consideration. The national dialogue on sexual harassment, triggered by high-profile cases, often fails to extend to educational institutions, largely absolving them of their legal responsibilities. Awareness is lacking among educators and students about what constitutes sexual harassment, its repercussions, how to respond to it, or where to seek redress. Current approaches to sexual harassment in schools are clearly underestimating its prevalence and seriousness. Many school districts either lack a definition of sexual harassment in their policies, or their definitions are so narrow that they preclude most incidences from being labeled as such. Sexual harassment among high school students and by high school students, more than any other demographic, is chronic under-researched, misunderstood, and dealt with inadequately by schools. Thus, policy improvement and advocacy work are needed (Rosa & Clavero, 2022).

4.1. Title IX of the Education Amendments of 1972

Title IX of the Education Amendments of 1972 (Title IX) is probably the most well known legislation protecting students from sexual harassment and violence. It is a comprehensive law that broadly prohibits sex-based discrimination in federally funded educational programs. Schools and universities are covered by Title IX if they receive any federal funds. This scope captures essentially every public school district, and nearly every public college and university. There are five key provisions of Title IX that schools and universities must follow. (1) Prohibition against discrimination. Schools and universities may not discriminate against any individual in their programs or activities on the basis of sex. This provision is broad, and has been interpreted to include harassment. The Office for Civil Rights (OCR), the federal agency



responsible for enforcing Title IX has made it clear that Title IX prohibits conduct that creates a sexually hostile environment, or interferes with an individual's educational opportunities or participation in a school program. Any school actions that exhibit bias or treat students differently based on sex may also violate Title IX. (2) Policy requirement. Schools and universities must have a policy against sex discrimination that includes procedures for addressing student complaints of discrimination. (3) Notice of nondiscrimination. Schools and universities must notify students that sex discrimination, including sexual harassment, is prohibited under Title IX, and must disseminate a notice of nondiscrimination. (4) Designate a Title IX coordinator. Schools and universities must designate a Title IX coordinator to oversee compliance with Title IX and can be contacted about sex discrimination concerns. (5) Investigate and respond to complaints. Schools and universities must investigate complaints of discrimination, including harassment, as soon as they receive notice of the conduct. Following the investigation, the school has a duty to take effective actions reasonably calculated to end the discrimination, eliminate any hostile environment, prevent its recurrence, and address its effects. Common remedies for a Title IX violation include providing services and support to the victim, educating students, staff and faculty on sexual harassment issues, and disciplining the accused violator. This last remedy often entails expulsion for the violator. It is important to consult your institution's Title IX coordinator, or an attorney with knowledge of Title IX process and law when accused of a Title IX violation. There are still numerous grey areas in Title IX compliance, and a knowledgeable advisor is indispensable. The role of the Title IX coordinator is largely administrative. The essential duty of the coordinator is to ensure that the school has procedures and systems in place to respond to complaints. They will often have training programs to educate students and employees about their rights. All preK-12 schools and universities receiving federal aid must take broad actions to comply with Title IX. OCR enforcement actions hold the potential to dramatically alter how Title IX is administered at schools and universities. In a 2014 resolution agreement between OCR and the University of Virginia, the university agreed to reforms that some have criticized as revolutionary, and call into question what is required of schools to properly respond to a complaint (Sweeney, 2015). The Obama Administration has received praise for taking hardball tactics to enforce Title IX, most notably by the withdrawal of



federal aid to the University of Virginia due to widespread allegations that it had failed to properly address complaints of sexual violence. Yet, there is a perception that Title IX enforcement actions have gone too far, and are resulting in practices that deprive accused students of their constitutional rights. The most far reaching policy changes came in recent weeks, when a task force led by DeVos rescinded two letters issued in 2011 and 2014 under the Obama Administration. These “Dear Colleague” letters had established guidelines and procedures schools were required to follow to respond to complaints of sexual harassment and violence, and had significantly shifted the burden of proof in these cases against the accused violator. Critics of DeVos’ DoE hailed the cancellation of the guidance letters, arguing that the prior administration had created a new right, a right that greatly weakened basic due process rights in contravention of the United States Constitution. In May 2018, the United States Department of Education (DoE) released a new compliance manual that was widely perceived as scaling back the proper response to a Title IX complaint (Brenner, 2018). Now, a school’s obligation encompasses addressing hostile educational environment harassment, and when a student reports harassment anonymously or through a third party intermediary, a school is not required to respond. All significant complaints, however, must still be taken substantive action to end the misconduct, prevent its recurrence, and address its effects. Additionally, there is now a recommendation (but not a requirement) that schools have a specific, written grievance procedure for resolving non-compliance concerns.

5. Prevention and Intervention Strategies

Sexual harassment in its various forms is a significant problem that all students and educators must address. Because of the prevalence of such behaviors in educational settings and its negative impact on students’ sense of safety, bullying, contempt, intimidation, sexual overtures, etc., it is necessary to have in place effective strategies to prevent and intervene in unwanted sexual activities. Awareness-based programs, institutional policies, bystander prevention, staff and student training, and the support of the community and organization are important to ensure that this multi-faceted approach can curb unwanted activities.



A wide range of sexual harassment by students has been reported, including verbal, physical, distribution of inappropriate or unwanted verbal or written materials, and behaviors of threats to humiliate sexual implications. Stress, anxiety, self-esteem, and emotional instability are associated with sexual harassment. Colleges are strongly encouraged to have educational programs that raise awareness, provide information on what is sexual harassment, and advocate respect among students and faculty. By doing this, they are more likely to prevent such behaviors and create an atmosphere in which unwanted advances are less fraught with insecurity. Establishing policies in educational institutions that clearly outline acceptable sex behavior and conduct, provide a clear reporting procedure, and offer means for certain and immediate prevention of inappropriate behavior is also essential.

Bystander involvement is also an effective preventive approach to educate students, faculty, and staff on how to confront and report such behaviors. On average, male students are more likely than their peers to intervene, and when they do, they often intimidate outsiders. Predominant reasons for not intervening include not being sure what to do or whether the situation really refers to sexual harassment, fear of escalating the situation, and lack of any situation personally affecting oneself or someone else known. To this end, colleges are invited to facilitate extensive training so that employees and students alike can recognize and respond to the bullying, meaning a positive change in any behavior that offends or degrades anyone. An organization-wide training program at the beginner and intermediate levels should help those schools interested in adopting such a reactive but proactive initiative. Moreover, a supportive educational community is crucial for a successful anti-harassment program. This includes members of the school district and community organizations and must collaborate to implement a variety of activities and services aimed at creating a culture of respect and accountability. Commonly viewed as both the victim and the harasser are schools that already have some responsibility. In view of all the negative reactions, the institution then has an interest in fostering an atmosphere where the unwanted partner knows that all allegations of sex will be taken seriously (Scull et al.2021).



5.1. Training Programs

Sexual harassment is a growing problem in many educational institutions. One strategy designed to combat this harassment is training programs. Training programs designed to address sexual harassment have become increasingly popular in the past few years. The objectives of these programs include: (a) to raise understanding and awareness about sexual harassment, homophobia, and gender issues; (b) to foster understanding, empathy, and response to victims of harassment; (c) to provide participants with practical strategies for intervening when they see or hear about sexual harassment (R. Birdeau, 1998). It is recommended that all faculty, students, and administrators participate in these programs. Although training programs must be accessible, concise, and appropriate for the institution, engaging and interactive programs are also more effective than didactic, lecture-based ones. Case studies illustrate the power of training to shift the national and institutional cultures so that a greater awareness and intolerance of harassment are evident. Monitoring and evaluation of training efforts are recommended to help keep sexual harassment prevention on an institution's agenda. Empirical data further suggest that robust training programs lead to a significant reduction in incidents of harassment. Education and awareness have been stressed as primary weapons in the fight against sexual harassment, while case law and legislation can only define the boundaries of prohibition. With the necessary willpower and resources, a lasting change in offenders, victims, and third parties may be achieved through training and education.

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