

RECOMMENDATIONS TO PREVENT, REPORT, AND INVESTIGATE SEXUAL HARASSMENT IN SCHOOL COMMUNITIES

1. Use objective, quantitative criteria when making employment decisions.
 2. Require sexual harassment training and bystander intervention training.
 3. Recognize psychological, structural, and cultural factors that delay reporting.
 4. Talk to an employee if you think they are unhappy.
 5. Make reporting requirements non-threatening and victim-friendly.
 6. Give the reporting employee resources and contacts for outside support.
 7. Use objective, external investigators not in the chain of command of those involved in the report.
 8. Respond with compassion and write reports with the help of an expert.
 9. Evaluate the appropriateness of your response.
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INTRODUCTION: WHY IS THIS NEEDED?

Teachers are reporting a disturbing amount of sexual harassment on social media. The unifying message is that **school administrators are failing to prevent harassment and failing to address it properly when it is reported**. Many countries' minimum legal requirements for preventing and responding to sexual harassment are limited and don't include the recommendations of organizations such as Federal Anti-Discrimination Agencies and Human Rights Organizations. Some countries may lack legal requirements entirely. The protection of your employees needs to meet the minimum legal guidelines, but you must do more. It is the only way to guarantee the safety and well-being of ALL members of your school community.

RECOMMENDATION #1: Use objective, quantitative measurements when making employment decisions. Do not use “Cultural Fit.”

[Experts](#) have said that using “Cultural Fit” in determining employment can be a great fertilizer for discrimination (Lewis, 2015). Telling someone they need to be a good fit can get them to put up with a lot of things to fit in. Even do or say things that lead to further victimization in an attempt to be liked and keep their job. Reduce the likelihood of an environment that enables bullies and harassers by making employment decisions less subjective. Inform your employee of the measurements used to assess them *immediately* after the employee has been hired. That way, everyone in your community knows the clear quantitative measurements you use to make employment decisions. It will reduce the likelihood that a decision will be made for an emotional (and potentially discriminatory reason).

Cultural Fit is NOT the same as Mission & Values

It is quite fair to make employment decisions based on whether the employee meets the criteria clearly outlined in your Mission & Values statement. Do not confuse that statement with the concept of Cultural Fit which serves to hide discrimination.

If you use temporary contracts (which offer less protections in many countries than permanent contracts), be mindful of how individuals with permanent contracts interact with their more vulnerable colleagues. **Sexual harassment is not about sex or attraction. It's about power.**

Do not call sexual harassment an “interpersonal problem.” It’s a cultural problem. Everyone assumes they would notice if a coworker was harassing someone. The reality is that many people find ways to dismiss the behavior and they do so because they adhere to the idea that a victim was not a good fit in the workplace. This belief system is created and sustained by the school leadership.

RECOMMENDATION #2: Require sexual harassment training and bystander intervention training.

Many countries don't require workplaces to offer these trainings. Don't wait until you're legally forced to offer them. Do it now. Sexual harassment occurs in every workplace. It occurs in *your* workplace. If your knee jerk reaction is to say that it doesn't happen in your workplace, then it probably means it happens there quite a lot, but you lack the empathy and cultural sensitivity to recognize it. Train your employees on how to recognize and respond to it.

[Research](#) has shown that bystander intervention training may be superior to traditional types of sexual harassment training (Coker et al, 2011). Certain sexual harassment training can actually do more harm than good and make your workplace less safe. The American Psychological Association has an excellent [article](#) that explains some of these bad training methods (Smith, 2018). Make sure your workplace doesn't use one of them.

Empowering the bystander is a very effective way to prevent sexual harassment. It helps stop an uncomfortable situation from becoming a serious and illegal one. However, bystanders only act **when they feel safe to do so**. If reporting structures and cultural norms that exist at your school feel silencing to victims, they will also silence the bystanders.

Bystander intervention training is becoming very popular and experts in this area can be found in many countries. An organization that might be available for an on-site training is [Culture of Respect](#)*. If it is not possible to bring an expert to your school, digital training is available online. Check out the bystander resources on [iHollaback.org](#)*.

**The author has no affiliation with Culture of Respect or iHollaback.*

RECOMMENDATION #3: Recognize psychological, structural, and cultural factors that delay reporting.

Most victims of sexual harassment [don't report it](#) (Udice, 2017). The reasons are complex and include a number of factors - psychological, structural, and cultural.

PSYCHOLOGICAL: Some victims delay reporting because they don't acknowledge the harassment and/or try to dismiss and make excuses for it. "[Betrayal blindness](#) is the unawareness, not-knowing, and forgetting exhibited by people towards betrayal...Victims, perpetrators, and witnesses may display betrayal blindness in order to preserve relationships, institutions, and social systems upon which they depend" (Freyd, 1996).

STRUCTURAL: In institutions where speaking up about harassment can feel threatening, most people will stay silent. Those that speak up may be blacklisted - labeled a "problem" or a "risky hire." The person feels safer to deny the experience, then to address it. A [video](#) by the Washington Post titled, "Hollywood's greatest betrayal: How sexual predators operate in plain sight," provides information on how this happens. While the video covers the working dynamics in Hollywood, many of those same dynamics and power structures exist within school communities, especially International School communities where a few white men lead the richest, most powerful schools and rumors of blacklisting make people afraid to speak up.

CULTURAL: If you add large cultural differences into a workplace, it can lead to greater confusion about what is and what isn't normal. Don't assume that your employee understands what is culturally acceptable and what isn't acceptable. **Your employees are trying to fit into a new culture and they may make concessions they wouldn't otherwise make in their home environment in order to fit in.**

Be aware of these factors that delay reporting. While you can't act on harassment if an employee doesn't inform you about it, you can be sensitive to the timing of the reporting and not blame them for not reporting earlier. By making your reporting structures safe and non-threatening to an employee you can help counter betrayal blindness and lessen its effect.

Courts may [be in your favor](#) when an employee delays reporting for any reason, even if that reason is valid (Hebert, 2007). If there is any opportunity to blame the victim for the behavior, the courts generally do so. You still have a duty of care to treat your employee with compassion and acknowledge the long-lasting trauma you could inflict on an employee with an insensitive and/or aggressive response.

Do not blame or attack your employee for not reporting earlier.

RECOMMENDATION #4: Talk to an employee if they are unhappy.

If an employee seems unhappy, check in with them. Talk to them. Ask why. **Repeatedly.** Do it more than once. Showing you care will establish an environment of trust. This will help reduce the effect of "betrayal blindness" and lead to earlier reporting of bad behavior. If the behavior is reported early, you have the chance to quickly address it before it gets out of hand. But, if the employee doesn't think you care, you aren't going to hear about it until it's too late. Also, don't make an employment decision based on reports that an employee is unhappy. Especially, not without speaking to the employee first.

[Research shows](#) that a once happy employee becomes unhappy when they are experiencing bullying (Paciello, 2019). A victim may act unusual and not in accordance with social norms. This may appear as anger, lashing out, crying, laughing when they shouldn't, disorganization, anxiety, or any other behavior which you may find distressing. Health problems are also common so an employee going on sick leave for an extended period can also signal a major issue. It is your duty of care to try and help this employee. If your employee is showing signs of distress there is likely an underlying issue.

Remember that your other employees are watching your response.

Long after that “unhappy” employee has left, your continuing employees will remember what happened. They are watching your response. They will tell the story about how you responded to future employees. This could have a damaging effect on your culture for years to come.

RECOMMENDATION #5: Make reporting requirements non-threatening and victim-friendly.

Individuals [should not be required](#) to report harassment to a supervisor or someone else within their chain of command (Udice, 2017). They should not have to report to someone who writes their reference letter and/or determines their employment. If one exists, check with your country’s Federal Anti-Discrimination Agency. Most suggest that you give multiple options for reporting. Requiring your employees to report their harassment to a supervisor makes them fearful for their job and future career opportunities. Retaliation is illegal, but the vast majority of people who report sexual harassment say they experienced retaliation after they reported. One [study](#) found 75% of reporting employees experienced retaliation (EEOC, 2016). Employees know this from whisper networks and the news media. This fear of retaliation silences victims.

Give your employees multiple options for reporting. They should be able to report to someone of the same gender, outside their chain of command.

Perhaps you like the idea of not getting a report. It would make life easier. But, that doesn’t mean sexual harassment isn’t occurring in your workplace. If you make your reporting structure feel safe to victims, they will report earlier and you can tackle minor problems before they become major ones. Display institutional courage and change your reporting structure!

RECOMMENDATION #6: Give the reporting employee resources and contacts for outside support.

You should create a list of contacts that can offer support to your employee *before* you receive a complaint of sexual harassment. If the victim is female, note that most cities have a women's shelter or women's trauma center. A directory of therapists (compiled by an outside source) who speak the employee's mother tongue should be provided. If your country has a Federal Anti-Discrimination Agency, you should include their contact information. Major cities have anti-discrimination support groups that cover the local region. Also include suicide hotlines and any other hotlines that help victims of sexual violence. Give the employee this document immediately and **within 24 hours** of receiving their report. By providing the reporting employee with these support networks you not only act ethically, you also protect yourself from future arguments that accuse you of not supporting the employee.

RECOMMENDATION #7: Use objective and trained outside investigators not in the chain of command of those involved in the report.

Objective and trained outside investigators should **always** be used. Using someone on the Senior Leadership Team who knows the people involved and writes their reference letters is not an appropriate choice. **If a future claim regarding the alleged harasser is made, you want to be sure that your handling of a previous claim is not brought into question.** This could turn into a press relations nightmare for your school. Do it right the first time so you don't face accusations of trying to bury what happened.

Be aware that no standards for how to conduct a sexual harassment investigation say that using a biased investigator with a conflict of interest is appropriate. A decision to do so will be [questioned by your community](#) (Elkins, et al., 2008). It will be seen as a failure to take the harassment seriously and to sweep things under the rug. This decision will have long-lasting negative effects on your community. A truly courageous leader will give up control over this investigation to an unbiased investigator and focus on the long-term impact this situation might have on the school community.

See the following resources for how to conduct an appropriate sexual harassment investigation:

1. [EEOC](#)
2. [Human Resources Organizations](#)
3. [Human Rights Commissions](#)
4. The Federal Anti-Discrimination Agency in your country (if none is available, consider using the EEOC guidelines linked above)

Be aware of certain [biases](#) in investigations, including biases that lead to incorrectly evaluating witness testimony. These include confirmation bias, “like me” bias, and priming (Ogletree, 2017). Most of these can be eliminated with an impartial, trained investigator! Keep in mind that even if your biased investigation substantiates that harassment occurred (though, often it will not), you most likely will be unable to enact any disciplinary action because the guilty party will sue you for conducting a biased investigation!

Will you lead with Institutional Courage or Fear?

If you lead a biased investigation, it will be assumed by your community that you wanted to “sweep it under the rug.”

RECOMMENDATION #8: Respond to claims with compassion and write reports with expert assistance.

You can inflict real harm on your employee by the way you respond to their report of sexual harassment. Whatever you think their motives for reporting may be, they are a human being. [Institutional betrayal](#) occurs when a victim asks their institution for help and the institution further traumatizes the victim by the poor manner in which the institution responds (Freyd, 2019). It leads to severe long-term psychological harm and even [suicide](#) (Monteith, et. al, 2016). No one should leave your workplace with a diagnosis of PTSD because of the way you treated them. Make sure your school does not add further harm to the victim by the way you handle their case. **Many victims report the response from their institution was more psychologically damaging than the harassment.** You have a duty of care to your employees to not harm them by the way you respond to their report.

Note that even well-meaning responses can be harmful. The organization, Lean In, provides a guide on [how to listen](#) and respond compassionately. Make sure the content of the investigation report is relevant. Do not include statements that are not relevant to the alleged harassment. If something comes up in the investigation (e.g. a witness states a negative opinion of the victim), that does not prove/disprove the incidents being investigated, do not include that information in the report. This information is irrelevant to whether or not the incidents under investigation occurred and they will make it appear that you are attacking the victim for reporting. This is one of those moments where you need to act with compassion and consider the way the victim will interpret your report. If you feel the victim may have acted in an inappropriate manner based on the comments made by witnesses, decide if a *new* investigation needs to be opened regarding the statements.

Do not use the report as an opportunity to attack the victim. If you think the victim is making up the allegations, it is still in your duty of care to act humanely

toward them. The vast majority of victims are telling you the truth. **If you are unable to substantiate their story, remember that it still might have happened to them.** It can be difficult to write this kind of investigation report. It requires compassion. Do not use [DARVO](#) (Freyd, 2018). Familiarize yourself with institutional DARVO and ensure that your report does not engage in these techniques. Research has shown incredible long-lasting harm to victims when their institutions engage in DARVO.

Note that you may engage in DARVO unintentionally due to your own biases. Ideally, a trained, impartial expert has led the investigation and written the report. At the minimum, have an expert assist you with writing the report. They can review the report and remove unnecessary information. They can check the report for certain phrasing that will be psychologically damaging to a victim.

Ask the person what accommodations they would like to receive. Do not suggest accommodations that you think are good without considering how the person might perceive them. Suggesting the person move away from their office space if it is near the alleged harasser might seem like a reasonable idea, but the person might view the suggestion differently, especially if it would force them to move away from their office as if they had done something wrong. It's better to ask the person to suggest what accommodations they would like.

RECOMMENDATION #9: Evaluate your response.

Your investigation is completed. You have responded in some manner to the allegations. Did you do a good job? What does the employee who made the report think of your response? Use the **Smith and Freyd's Institutional Betrayal and Support Questionnaire Version I** ([IBSQ.I](#)) to assess what the employee thinks about the handling of their case. An example of this

questionnaire in use can be found in the references section: Smith and Freyd (2013).

This is not a legal document. Having an employee fill this out has no legal repercussions for you. It is their opinion. You are allowed to disagree with their opinion about how they feel you handled their case. However, this questionnaire can provide you with a lot of information about *how they feel*. They are a human being. Respect their feelings. Showing them that you respect their feelings and that you will consider them in how to improve will go a long way towards reducing any trauma they feel from making the report. Also, note that **if they feel a certain way, some of your other employees might have the same feelings about how you handled the case**. You should address their concerns. While the investigation should remain confidential, gossip will undoubtedly get out. It will likely be necessary for you at some point in the future to address the community in some manner. This gives you the opportunity to reflect on what you could do differently the next time. It might also help you see where you went wrong so you can apologize to the victim if you made a mistake.

Employers can withhold apologies out of fear of being sued or losing an existing lawsuit. Most victims only want an apology and their environment to be safer. They came to you because they wanted you to be aware of their experience so it wouldn't happen to another person. Do not attack them for doing this. If you did something wrong, offering an apology can go a long way toward reducing long-lasting, even permanent, psychological damage to the victim.

Practice [Institutional Courage](#). It's the right thing to do.

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