

BULLYING & HARASSMENT: A CURRENT PERSPECTIVE

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HARASSMENT YES? - NO? - MAYBE?

SCENARIO NO. 1

Russell Junior High School provides transportation for its students both to and from school. On one particular route, several male students make a point of brushing up against female students and making physical contact with them when the boys get up from their seats to exit the school bus.

Nothing is generally said by the girls, except that on occasion an angered female student will speak up and confront the offending boy(s). When this does happen, the boys accuse the girl of being a poor sport, or making more out of the situation than is called for.

These incidents have been going on for about six months when one girl finally complains about the boys' behavior to the female school bus driver. The bus driver listens intently and assures the girl that she won't tell anyone.

1. Is there any harassment going on here? If so what type(s)?
2. Is this just a matter of "boys will be boys"?
3. Should the bus driver be more aware of activities on her bus?
4. What do you think of the bus driver's reaction to the girls' complaint to her?
5. Does the bus driver's reaction project any liability to the school?
6. If you were called in to review the situation, what steps would you take?

SCENARIO NO. 2

Judy and Angela are seniors at Highland High School. As part of their business class they work as tellers at a local bank three days a week as work-study trainees. The bank has seven (7) female tellers, including Judy and Angela. Mr. Wilson, the branch manager, routinely visits each of the tellers to supervise their transactions. Whenever he visits the area assigned to Judy and Angela, he always touches one or both of them, putting his arm around them as he leaves the area. Judy's and Angela's area is entirely visible to the other tellers.

Neither Judy nor Angela has rebuffed Mr. Wilson, nor has either of them complained directly to him about this behavior. Mr. Wilson has never asked Judy or Angela for sexual favors.

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1. Is Mr. Wilson just being friendly, or is he a “dirty old man”?
2. Does it make any difference?
3. What should be done about Mr. Wilson’s behavior?
4. Does anyone have a duty to report Mr. Wilson’s behavior?
5. Could Mr. Wilson’s actions be imputed on the school district?

SCENARIO NO. 3

Jennifer R., a student at Lincoln High School, works as an administrative assistant trainee in the school’s main office. From her desk, she can see clearly into the teachers’ lounge. Many of the male teachers, and even a few female teachers, seem to enjoy engaging in horseplay while in the lounge. Jennifer has heard the teachers, some of whom are her instructors, exchange stories about their sexual exploits and kidding each other about their sexual prowess. She has even seen what she considers inappropriate touching and grabbing of each other’s body parts.

Jennifer is offended and embarrassed by this type of conduct. However, Jennifer has not told anyone about any of this and has on occasion even nervously laughed at the teachers’ conduct when she was caught watching them.

1. Is this an example of unlawful sexual harassment?
2. Does the school have any liability in this instance?
3. Has Jennifer followed a proper course of action?
4. If not, what should Jennifer have done?
5. What other questions can you think of that relate to this example?

SCENARIO NO. 4

Bill Man was born in Syria. He and his parents moved to the United States when he was eight (8) years old. Bill now attends Washington Junior High. While at school, he is frequently called such names as “camel jockey,” “rug peddler,” “rich Arab,” and “raghead.” One day, one of the coaches on the track team even told him that, “you should go back to the desert where you came from. Maybe you could outrun one of your camels.”

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Bill complained about the conduct of both the track coach and the students to his history teacher, but nothing happened.

1. Can Bill establish harassment?
2. If so, what type?
3. Would the situation be any different if Bill was called names only occasionally?
4. What would be the situation if Bill were the subject of taunts that were not necessarily explicit as to his national origin?
5. What actions would you take to investigate the incident?

SCENARIO NO. 5

Three friends (two guys and a girl) are walking home from a video store. School is closed for spring break. The three are recognized by four male occupants (also students at their high school) in a car that passes them. One of the passengers yells out, "Those guys are gay!" (Actually only one of the young men is openly bisexual. The other two are heterosexual.)

The three friends try to ignore the car's occupants and cut through school property to get away. They are followed onto campus. The four males jump from the car and attack the two male friends shouting, "We don't tolerate 'fags' here." The bisexual youth is stomped on the chest and kicked in the groin, and blacks out.

When he comes to, the three friends find a janitor, call 911, and the police and the mother of one of the young men arrive. The mother takes all three to the emergency room. While the three are being treated, one of the attackers shows up and is immediately arrested. The second young man calls his mother at work and his parents come to his side. The vice principal is called.

The mother later calls the local Safe Schools Project and relays that the vice principal is shocked, horrified, and really angry. She further describes how teachers and community members held a rally for her son at which they expressed their support for the three friends and their disgust for what had happened to the three. She also told how her son hoped that his two friends would never go through such an experience again but that he probably would because he was bisexual.

The support he was given from his family and the community was not enough. The young man was entered into a mental health care facility for depression. Ten days after being released from the care facility, the young man killed himself.

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1. What if any liability does the school face?

2. What if anything should the school have done that you think was not done?
3. Does the fact that it was spring break have any bearing?
4. Is the school responsible for the student's suicide?
5. What if the beatings had occurred off-campus?

SCENARIO NO. 6

The end of the school year was drawing near. As a senior event, an auction was held whereby students were "sold" in order that they become the servant to the successful high bidder. This was the third annual auction.

The principal acted as the master of ceremonies. One particular Latino student was brought to the blocks and the bidding process began. The bidding was slow and the target amount was not being reached. Sensing some embarrassment on the part of the student, the principal lightheartedly commented to the audience that, "He won't even steal your hubcaps." The student was immediately aware of the racist nature of the comment, but did not want to make an issue of the principal's remark.

1. What issues are raised here?
2. Is there justification for harassment on the part of the principal?
3. What if this type behavior is part of a larger pattern of behavior at the school?
4. Would the situation be any less prejudicial if the remark had come from someone other than the principal?
5. Should other staff members have made an issue of the principal's comment?
6. Should the effects on the individual student be addressed?
7. Should the student's reluctance to confront the issue be considered?

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SCENARIO NO. 7

Ashley, an eighth grade student at Jefferson Junior High School, one day comes to Vice Principal Mrs. Hanoi in tears. Ashley, who is one of the smallest girls in her class, tells Mrs. Hanoi that two of the bigger girls won't stop "bothering her." When Mrs. Hanoi asks Ashley what the problem is, Ashley says the girls threw a cut-up frog down her dress, and repeatedly snapped her bra making comments about her not needing one because of her small size. Additionally the girls had blocked her escape and had also called her the term that denotes a "female dog." This wasn't the first time they had accosted her.

1. What type if any harassment is presented?
2. If you were Mrs. Hanoi, what would you do in this situation?
3. Is there a pattern of harassment demonstrated?
4. If so, what additional actions, if any, are warranted?
5. What other considerations can you think of that are necessary in this situation