

# Interim Report of Seattle Public Schools Task Force for Prevention of and Response to Sexual Harassment and Sexual Assault

Submitted August 11, 2020

SPS Title IX Task Force

## **Task Force for Prevention of and Response to Sexual Harassment and Sexual Assault August 2020 Interim Report**

### **I. Background**

Board Policy 3208 commits Seattle Public Schools (District) to a positive and productive education and work environment free from discrimination, including sexual harassment. The corresponding Superintendent Procedure, 3208SP, details the formal and informal procedures that incorporate the requirements of RCW 28A.640, WAC 392-190-056 through 392-190-075, and Title IX of the Education Amendments of 1972. Pursuant to Superintendent Procedure 3208SP, the Deputy Superintendent, as delegated by the Superintendent, convened a Task Force during the 2019 calendar year to review the use and efficacy of Board Policy 3208 and Superintendent Procedure 3208SP as well as additional tasks listed below. A District Title IX Task Force last met during the 2014-2015 school year.

Pursuant to the Task Force's Charter (attached as Exhibit A), the 2019 Title IX Task Force is:

- reviewing the District's current practices and policies;
- reviewing and providing input on the District's educational activities for students regarding the awareness and prevention of sexual misconduct and sexual harassment;
- developing recommendations to provide to the Superintendent and Board for any policy and procedure revisions based on the reviews detailed above.

The Task Force has been meeting approximately once a month since April 2019. Its work has extended beyond the 2019-2020 school year, and it is anticipated that the Task Force will continue to meet until at least Winter 2020 if not through Spring 2021. Upon its completion, a final report detailing recommendations will be submitted to the Superintendent and School Board via Tina Meade, District Title IX Coordinator.

The Task Force consists of a multi-disciplinary team including District staff members, SPS parents, an SPS student, and community experts in the field of sexual harassment and assault.

The initial intent of the 2019 Task Force was to submit final recommendations to the Superintendent and School Board upon completion of the 2019-2020 school year. However, due to the initial COVID-19 school closures and now remote learning and work, the aim is to have final recommendations to the Superintendent and School Board by Winter 2020 or Spring 2021. The Task Force is dedicated to formulating final recommendations that incorporate feedback from District students. Given the school closures and remote learning, the Task Force has been unable to implement next steps on obtaining student voice but intend to do so as soon as is feasible.

Additionally, The United States Department of Education has issued new Title IX Regulations that go into effect August 14, 2020. The Task Force will continue to review policies and procedures of the District in light of the revised regulations moving forward.

While the final report is outstanding, the Task Force has made headway on initial recommendations and would like to submit the following as its interim report.

## **II. Recommendations**

### **A. Title IX Incident Responses & Investigations**

The following are recommendations related to Title IX incident responses and Title IX investigations:

1. Create a flow chart with how SPS handles investigations, complete with timelines that begin at intake and conclude with disposition (including any appeals process).
  - a. Identify on the chart where students are involved and when they can have support people present (i.e. advocate, attorney, parent, etc.).
2. Create a chain of command document that shows the primary and secondary contact for Title IX at each school. If this already exists, make it widely available so families and staff know who carries out the investigation process.
3. Conduct a broad assessment of where schools are, listening to students at SPS about their experiences:
  - a. Invest in a comprehensive review by an independent, third-party, subject matter expert to conduct a comprehensive outside policy review. One organization the Task Force recommends is the Title IX Education Specialists ([www.tixedu.com](http://www.tixedu.com)). The chosen third party reviewer should conduct an analysis to determine whether best practices are being followed and make a gaps/strength assessment.
  - b. Benchmark with other similarly sized school districts, i.e. how do they handle Title IX (regarding both response and prevention).
  - c. Listen to students as part of the broad assessment:
    - i. Student surveys (comprehensive with all students, i.e. add questions to existing school climate written surveys);
    - ii. Conduct in-person focus groups with students (the Task Force's Student Voice subcommittee has formulated next steps for leading focus groups with groups of diverse students from 4 District high schools);
    - iii. Anonymous check-ins with students engaged in Title IX complaint process to solicit their feedback about their experience with communication, the process as a whole, and resources they have received.
4. Anyone who is involved with investigations, interviews, fact finding, or adjudication of any kind should receive formal training from content experts, such as Title IX Education Specialists ([www.tixedu.com](http://www.tixedu.com)).
  - a. There should be a dedicated budget for this training which includes ongoing training.
  - b. At the minimum, the Title IX OSCR staff from SPS, the school building administrators, school nurses, and special education case managers should be formally trained regarding Title IX.

- c. Give adequate sexual assault response training to all school staff and administrators (everyone who may receive disclosures from students).
    - i. All staff need to have quick, easy access to the Title IX process, procedures and resources.
    - ii. Need advanced training for school nurses, counselors and special education staff.
    - iii. All school staff need training on any updates in district policies, laws, etc.
- 5. Increase transparency and access to resources for families going through the reporting process.
  - a. Written notice of rights and explanation of SPS process (so everyone knows what to expect) on website and in paper format; provide translations in student/family's primary language to ALL students and families at start of school year (on website where it is very easy to find, in the office, at community centers, on buses etc.).
  - b. Proactively provide information to everyone involved as soon as they express interest in filing a complaint.
- 6. Establish a consistent procedure across the district for elementary schools to respond to sexual behavior concerns/problems.
  - a. Guidance and training for school staff on behaviors that are within developmental norms and age appropriate regarding sexual exploration and how to intervene & educate – this needs to be informed by experts in both child and adolescent development and sexual assault field who specialize in this area.
  - b. Procedure should include coordination with Health Education even if it's after an investigation (ideally coordination would occur before an investigation).
- 7. Fully fund student and family support staff in school buildings including<sup>1</sup>:
  - a. Restorative practices coordinator.
  - b. School Counselors at a minimum ratio of 1:250 students.
  - c. Social Workers/ Family support workers.
  - d. School nurses.

## B. Data Management and Systems

The following are recommendations related to Title IX data management.

- 1. Better records management, including:
  - a. A case management database to keep detailed records of incident response, investigations, and outcomes.
  - b. Synergy between Title IX recordkeeping and PowerSchool system.
  - c. Synergy between Title IX recordkeeping and the below-recommended anonymous reporting tool referenced in (C)(4).

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<sup>1</sup> The Task Force recognizes that certain aspects of these recommendations are also subject to negotiations between the District and various labor partners.

The Task Force believes that meeting best practices in data and records management will allow for the successful implementation of the other recommendations listed in this document.

### C. Prevention, Education, and Intervention

The following are recommendations related to Title IX prevention, education, and intervention:

1. Incorporate sexual assault prevention education into all grades starting in K or Pre-K:  
Comply with and surpass the minimum requirements of the new State Senate Bill 5395.
  - a. Elementary School
    - i. Currently FLASH curriculum is only taught in 5th grade. 5th grade teachers get only one training in their career. Need more training opportunities to keep up with current research and best practices. Also need more oversight to ensure this is happening with fidelity and consistency.
    - ii. Incorporate consent education into all grades starting in K or Pre-K: incorporating consent into everyday interactions, social-emotional learning, promoting it in interactions with adults and kids and between kids, how to “accept a no.”
    - iii. Need more District investment in general social emotional education and equity work (gender inequity and other oppressions are linked to sexual assault and sexual harassment).
  - b. Middle School
    - i. Reinstate health education in middle school. Middle school health education was cut about 10 years ago by SPS. This is a critical age for prevention and sexual health education. Need highly trained educators who specialize in health, not science teachers who get assigned to teach this content and then teach minimal content. Health curriculum to include comprehensive sexual health, social emotional learning, bystander intervention and consent education
    - ii. Needs to include “Know Your Rights” content that is SPS specific and is presented in class, online, and also in printed materials throughout the school buildings.
  - c. High School
    - i. Require health classes be taught:
      1. In person; (if it is taught online due to COVID-19, it should be live instruction);
      2. By teachers certified in health, who also receive ongoing training in sexual assault prevention;
      3. And with oversight to ensure sexual health is taught comprehensively and accurately.
    - ii. (Currently FLASH curriculum is taught in health class which is only one semester, usually in 9th grade for most students. Can be taught by health/ PE teacher or CTE (career technology education) teacher. Some students take it online, which is not accessible to many students financially, and the current offering has problematic, inaccurate and incomplete content.

- Teachers self-report if they did FLASH, and their fidelity to the curriculum via an online survey.
- iii. Needs to include “Know Your Rights” content that is SPS specific and is presented in class, online, and also in printed materials throughout the school buildings
  - iv. Need an “upstander” training so students can learn and practice skills in bystander intervention and affirmative consent education.
2. Use other avenues for educating students.
- a. Content should be prevention focused, promoting healthy behaviors and social norms of safety, equity and respect, and should include skills for healthy relationships, consent, and bystander intervention with an anti-oppression, anti-sexism and anti-racism lens.
  - b. In addition to offering education in health classes, offer prevention education for specific student subgroups including athletes (such as Team Up Washington), student leaders, natural helpers/peer mentors, and outdoor education groups.
  - c. Conduct outreach & passive education in various settings including Teen Health Centers, counseling offices, bathroom stalls, academic classrooms, websites, newsletters, and social media.
  - d. Conduct outreach in various methods including posters and other written materials, videos, school announcements, and school papers.
3. Stricter procedure for approving health curricula, especially for online courses.
- a. Include the use of an anti-bias rubric in the curriculum approval process.
4. Respond to students concerns.
- a. Create an anonymous method to report concerns related to bias, discrimination, sexual assault, harassment, intimidation, and bullying. This recommendation comes from high school students at multiple SPS schools. This could be an online tool for reporting, and students and families can be informed that these types of reports may not result in a formal investigation (because they are anonymous). However, they offer a mode of conveying concerns and prompting awareness that would feel more comfortable to many students (compared to a formal complaint).
  - b. A multi-disciplinary team from each school who has decision-making power should review these concerns regularly. This information could be used to: improve school culture, plan prevention education, increase monitoring/staff presence in hot spot areas, etc.
  - c. The new Title IX federal regulations should be the “floor” not the “ceiling.”
  - d. The assumption should be that students are reporting in good faith. See “Start by Believing” campaign.

#### D. Student Voice

The Task Force strongly believes in the importance of incorporating student feedback into its final recommendations. The Task Force’s Student Voice subcommittee had formulated steps for student listening sessions; however, due to the school stoppage that occurred in March, the sub-

committee was unable to initiate its plan. Further discussion occurred during remote work by Task Force members regarding ways to pursue student voice during “stay home” restrictions (e.g. use of surveys, use of video conferencing). Unfortunately, no effective plan was developed, as the Task Force members agreed that due to the nature of the topic and type of conversation and follow-up that needs to occur should a participant in student voice meeting disclose a sexual assault, the Task Force deemed that the student listening sessions needed to happen in person. To that end, these sessions will occur when some form of in-person learning resumes. That said, the subcommittee will formulate next steps to gain student feedback should the 2020-2021 school year use a remote-only model throughout the entirety of the school year.

### **III. Conclusion**

As stated by the 2014-2015 Task Force before them, the 2019 Task Force members believe that if the District follows these recommendations they will help establish a robust, easily accessible program that 1) educates students and adults on how to prevent and respond to sexual harassment and sexual assault, 2) provides support for survivors of sexual harassment and sexual assault and resources to perpetrators to prevent future incidents, 3) establishes processes for effective implementation of programs, and 4) ultimately changes the culture that leads to sexual harassment and sexual assault.