

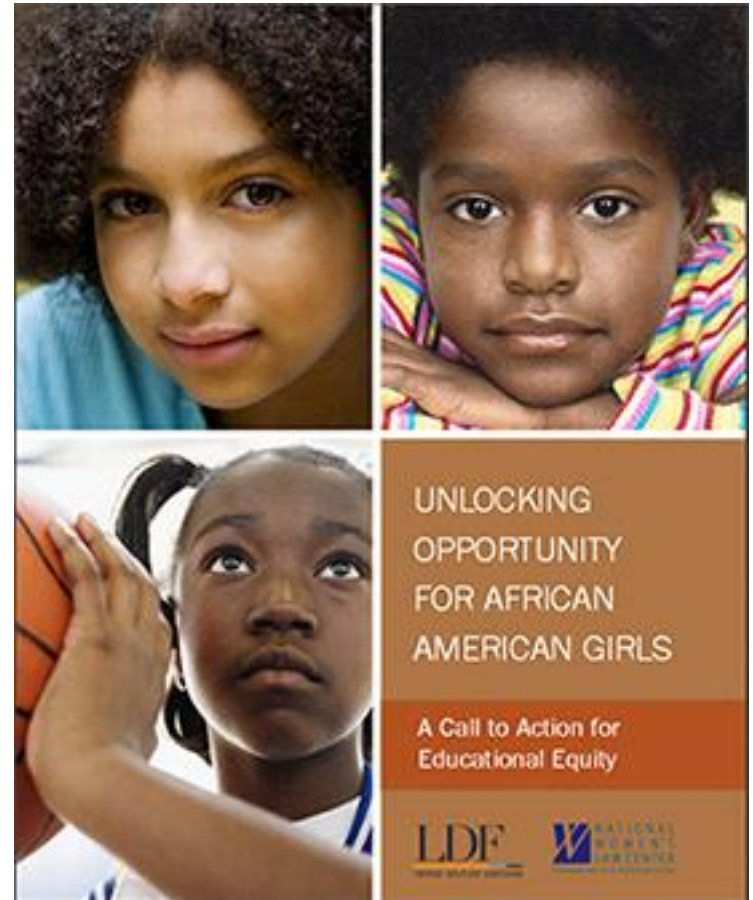
UNLOCKING OPPORTUNITY: COMBATting SEXUALLY & RACIALLY HOSTILE ENVIRONMENTS IN SCHOOL

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Why Focus on Black & Latina Girls?

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- Black and Latina girls are struggling in school. African American girls are faring worse than the national average for girls on almost every measure of academic achievement.
- But many assume that they're doing just fine.
- Significant race- and gender-based barriers keep Black and Latina girls from achieving successful educational and economic outcomes.



Why Focus on Black & Latina Girls?



- These barriers play out in lower graduation rates in high school and college.
- Educational barriers leave many girls of color stuck in the “School-to-Poverty Pathway.”
- Poor educational opportunities result in limited job prospects, concentration in low-wage work, and disproportionate representation among those in poverty.

Listening to Latinas Report

- Partnership with MALDEF
- Goals:
 - Take qualitative look at educational experiences of Latinas.
 - Gather stories illustrating challenges Latinas face in U.S. schools.
 - Identify steps that can be taken to improve Latinas' graduation rates.

Listening to Latinas: Methodology

- Surveyed 335 young Latinas across U.S.
- Follow-up interviews with 21 girls
- Focus groups with 26 girls
- Surveyed 45 counselors, teachers, and program staff who work with Latinas
- Follow-up interviews with 15 of those adults

Barriers to High School Graduation for Latina Girls

Findings:

- High aspirations overall. Of those surveyed:
 - 98% want to graduate from high school
 - 80% want to graduate from college
- BUT: many doubt will be able to reach goals, which can impact engagement in school and lead them to drop out.

Why do so many Latinas doubt their abilities to succeed?

Outline for Today's Presentation

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- Race and Gender Stereotypes
- Disproportionate Discipline & School Push Out
- Pervasive sexual harassment and violence
- Discrimination against pregnant and parenting students
- Legal resources required under Title IX
- Read more at nwlc.org/unlockingopportunity and nwlc.org/resources/listening-latinas-barriers-high-school-graduation

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Stereotypes

How Race + Gender Affects Self-Esteem and the Perception of Girls of Color

Race & Gender Stereotypes

- There's a strong link between positive self-esteem and better educational outcomes.



- E.g., in a recent New York study, girls who described themselves as “Afrocentric” or had strong ties to their racial identity were more likely to be happy and get good grades.
- However, studies like the Doll Test show that negative racial stereotypes begin affecting children from a young age.

Race & Gender Stereotypes

- Race and gender stereotypes not only hurt self-esteem, but also affect how Latina and Black female students are perceived.
 - ▣ E.g., stereotypical images of Black and Latina women as loud, confrontational, assertive, and provocative contrast with “traditional” notions of femininity, which require girls to be passive and modest.
- These negative perceptions can lead to assumptions that girls of color need greater social correction and increased discipline.
 - ▣ Black girls are at greater risk than other girls of being disciplined for dress code violations or talking back to teachers, as well as for less severe behaviors, like chewing gum or defiance.
- Girls of color that are assertive are at greater risk for inequitable discipline.

How Stereotypes Set Expectations

- Latinas as “submissive” and caretakers
- Lack of positive academic and career role models to counter these internalized images
- Examples from *Listening to Latinas*:
 - “I have a lot of people tell me, ‘you’re going to end up pregnant.’”
 - “Sometimes people think I’m not going to do anything [because I’m Latina] so it doesn’t matter if I turn in my work or not . . . They don’t have the same expectations.”



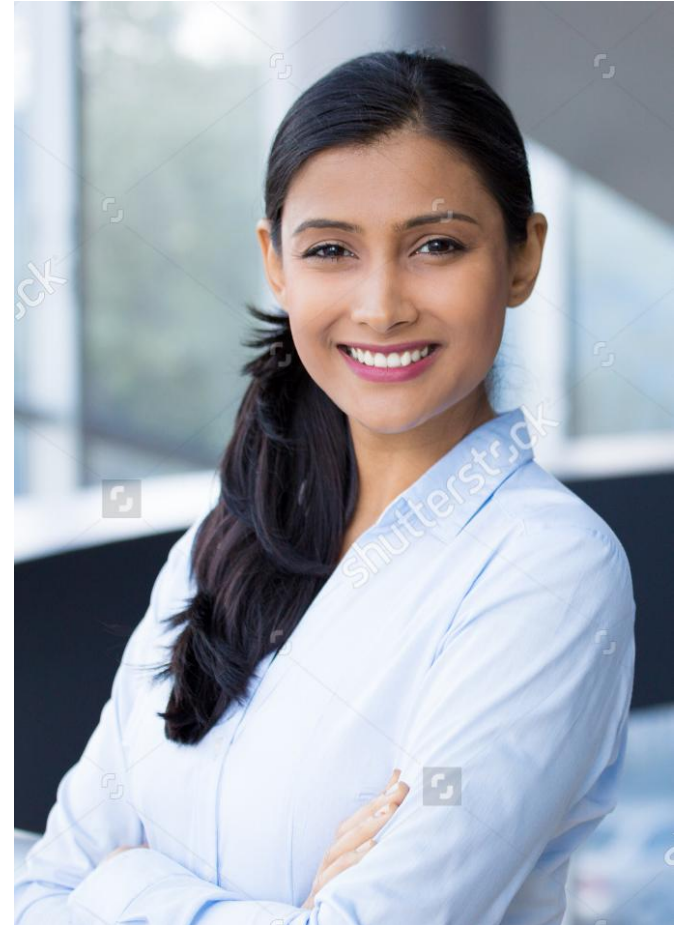
Fighting Stereotypes & Boosting Self-Esteem: Focus on Leadership

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- Develop programs to promote leadership, so that girls of color know they can achieve their goals and grow to be successful women.
 - ▣ Mentoring programs
 - ▣ Field trips
 - ▣ Guest speakers

- Provide training in conflict resolution, healthy communication, and problem-solving skills.

- Develop culturally-inclusive curricula.



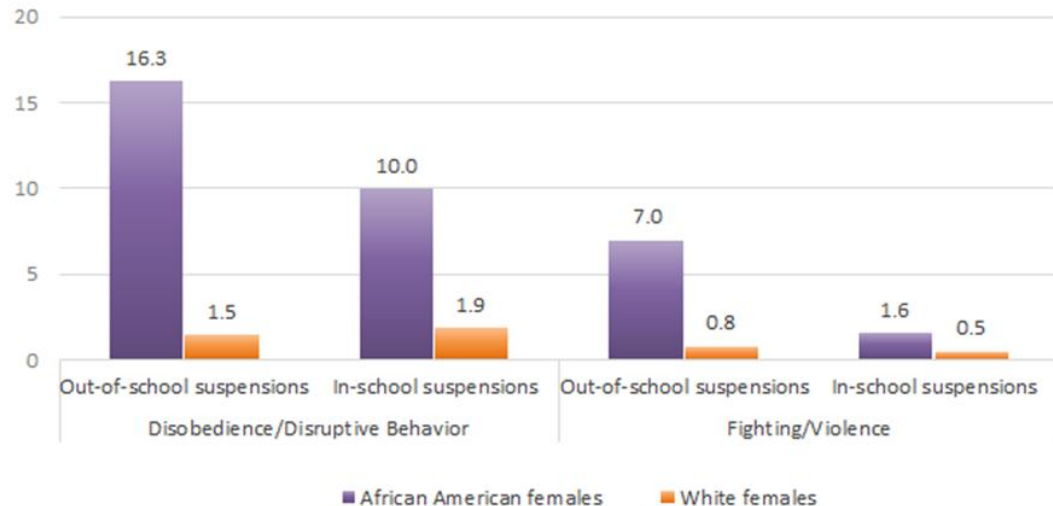
Discipline

How Disproportionate and Subjective
Disciplinary Practices Exclude Girls from School

Unfair & Excessive Discipline

- Latina girls are suspended from school at twice the rate of white girls. Black girls are suspended at six times the rate.
- Girls of color are also routinely punished more harshly than white girls for the same, minor subjective offenses, like “disobedience” or “disruptive behavior.”

Discipline Sanction Rates per 100 Female Students



Source: Jamilia J. Blake, Bettie Ray Butler & Charlotte Danielle Smith, *Challenging Middle Class Notions of Femininity: The Cause for Black Females' Disproportionate Suspension Rates*, in *CLOSING THE SCHOOL DISCIPLINE GAP: RESEARCH TO PRACTICE* (Daniel Losen ed., forthcoming).

Unfair & Excessive Discipline

- Stereotypes that Black and Latina women are aggressive may lead to implicit bias in how Black and Latina female students are viewed
 - ▣ School personnel may be unaware that they are more likely to penalize girls of color for conduct that defies stereotypes about what is appropriate “feminine” behavior.

- Overly harsh responses to “defiant” behavior fails to consider the underlying causes of the conduct, which for many girls include exposure to trauma, violence, abuse, or other toxic stress.

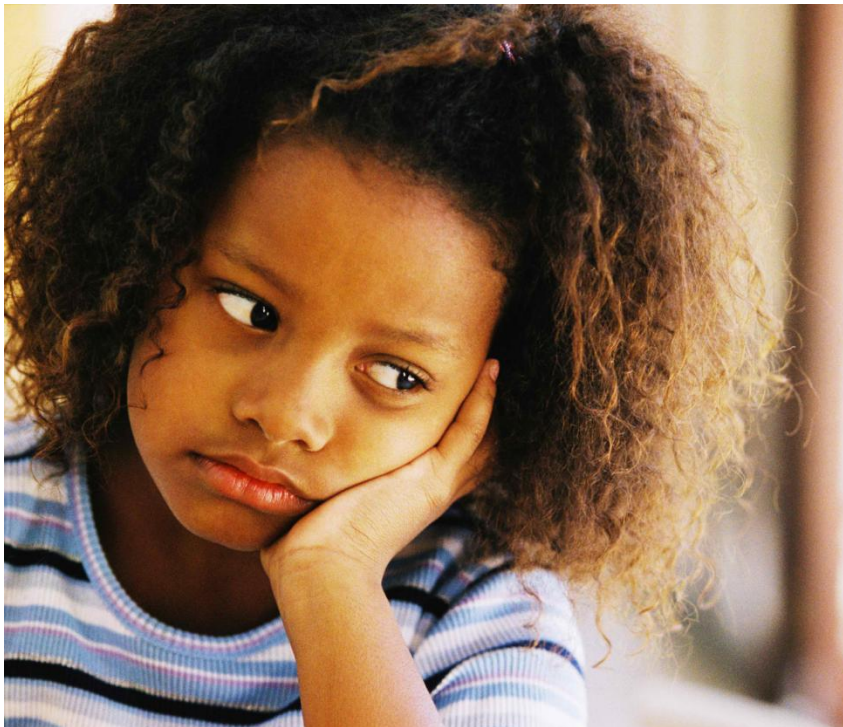
Discipline & School to Prison Pipeline

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- Discipline patterns lead to involvement in juvenile justice system.
 - In the 2009-10 school year, Black girls made up 17% of female students, but 31% of girls referred to law enforcement and 43% of girls with a school-related arrest.
- From 1997-2007, presence of law enforcement in school has risen by 40%
- Four of the ten largest school districts (New York, Chicago, Miami-Dade & Houston) have more security officers than school counselors



Reducing Unfair & Excessive Discipline



- Teachers and administrators need implicit gender and racial bias training to root out discipline practices that may be based on stereotypes.
- Ensure that training includes recognizing signs of trauma that may be underlying perceived “defiant” or “disrespectful” behavior.
- Collect and report data segmented by race and sex on disciplinary referrals (including specific reasons for discipline).

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Sexual Violence & Trauma

How Pervasive Harassment Undermines Positive Educational Experiences

Sexual Harassment & Violence

- African American & Latina women and girls:
 - ▣ Experience higher rates of sexual violence and intimate partner violence than white women and girls;
 - ▣ Report higher rates of sexual harassment at school; and
 - ▣ Are disproportionately likely to be victims of sex trafficking—especially in areas of concentrated poverty.

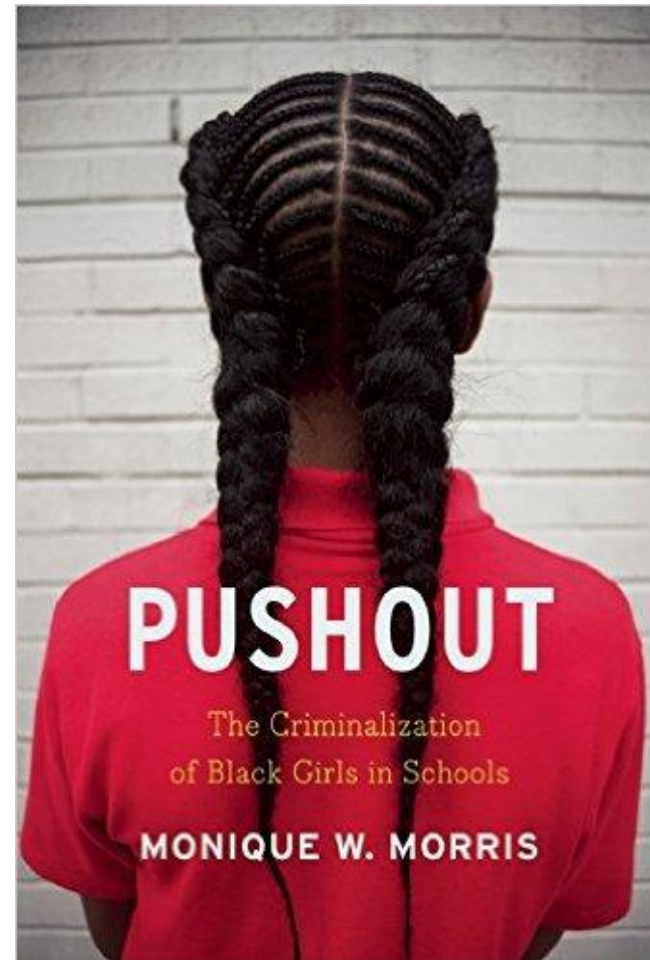
- These higher incidences of sexual harassment and trauma have a significant impact on educational outcomes, especially when assaults or harassment take place at school.

- Unfortunately, girls who seek help often encounter unsupportive responses, such as:
 - ▣ Blame for the harassment,
 - ▣ Failing to consider how the school climate contributes to harassment, and
 - ▣ Punishment for fighting back against their harassers.

A Real Life Scenario

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“I was in the 5th grade, and this boy, he kept spitting spitballs through a straw at me while we was [sic] taking a test. I told the teacher, and he told him to stop; but of course, he didn’t. He kept doing it. So, I got up and I yelled at him, and he punched me in my face, like in my eye...My eye was swollen and everything...I don’t even remember if I fought him, ‘cause that’s just how it ended, I think. But I remember that we both got suspended, and I was like, why did I get suspended? I was like, a victim...”



Reducing Gender-based Bullying, Harassment & Violence



- Adopt strong anti-harassment policies and provide everyone with mandatory, age-appropriate training on harassment, violence & healthy relationships.
- Collect data on incidents of harassment and violence (while maintaining student privacy).
- Connect victims with counseling and other trauma-informed supports.

Case Studies: Sex Trafficking Prevention Programs

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- The Oakland Unified School District offers a curriculum and mentoring program to help prevent sex trafficking starting in 7th grade, which focuses on:
 - Self-esteem,
 - Dangers of running away from home,
 - Sexual abuse, and
 - Healthy relationships.

- Educators at Herndon High School in VA hosted a forum on child sex trafficking in a suburb where gang members lure high school girls into the sex trade.
 - The event also highlighted how traffickers use social media to lure girls.



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Pregnant & Parenting Students

How Pregnant and Parenting Teens Are Often Pushed Out of School

Discrimination against Pregnant & Parenting Teens



- About 4 in 10 African American women & one-third of Latinas will become pregnant before they turn 20.

- Work demands, childcare responsibilities, and stigmatization can prevent young mothers from realizing educational success.
 - ▣ Only 51% of young mothers get a high school diploma by age 22 compared to 89% of women who don't have children in their teen years.

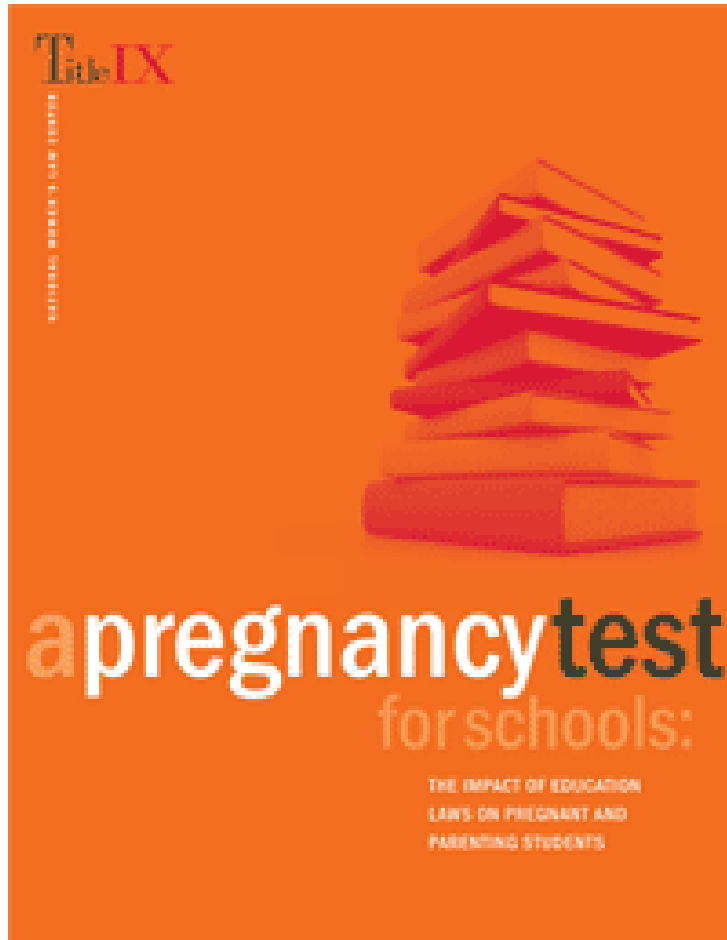
- Unlawful school discriminatory policies, like refusing to excuse pregnancy-related absences, also impede teen mothers' success.

Latinas & Caregiving Responsibilities

- Other family caretaking responsibilities (e.g. for siblings, elderly relatives) may fall more heavily on Latinas than on their brothers
 - Can cause them to miss school repeatedly, making it more likely they will fall behind
 - Hampers their ability to get involved in after-school activities or sports, which could impact engagement in school



Common Forms of Pregnancy Discrimination in Schools



- Environment of discouragement
- Punitive absence policies
- The unequal alternative
- Inaccessible homebound services
- nwlc.org/issue/pregnant-parenting-students

Helping Pregnant & Parenting Teens Succeed

- Collect data to track and improve outcomes for pregnant and parenting students.
- Eliminate barriers that push out pregnant and parenting students, including harassment and discriminatory attendance policies.
- Provide academic support and flexibility so teen parents stay engaged and on track for graduation.



Legal Resources & Remedies

How Title IX can help address sex discrimination in schools

What is Title IX?

- Title IX of the Education Amendments of 1972 (20 U.S.C. §§ 1681 *et seq.*) is a federal law that prohibits all sex discrimination in federally funded education programs or activities.
 - ▣ Includes all public schools, colleges, and universities and most private schools as well.

- The ban on sex discrimination includes sexual harassment, sexual assault, and pregnancy discrimination.

- Title IX applies to students, school employees, or anyone present on campus regardless of sex, sexual orientation, gender identity, immigration status, or disability status.

Definitions

- Sexual harassment is unwelcome conduct of a sexual nature and can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature.

- Sexual assault refers to physical sexual acts done against a person's will or when a person is incapable of consenting. This can include situations in which a person is unable to give consent due to drug or alcohol use.

- Department of Education's Office for Civil Rights (OCR) is the federal agency responsible for enforcing Title IX.
 - It handles complaints groups, reviews schools' policies and practices to see whether they are following Title IX, and helps schools understand their legal obligations.

Sexual Harassment & Assault in Schools is a Civil Rights Issue

- Sexual harassment, including sexual assault, can violate students' civil right to an education free from sex discrimination.
- Schools must ensure that everyone has equal access to educational opportunities.
- Sexual harassment and assault can also be civil and criminal offenses under other laws, and those offenses can lead to an investigation by law enforcement, penalties, and jail time.



What Title IX Requires



- Under Title IX, schools must have:
 - Notice of nondiscrimination
 - A Title IX Coordinator
 - Public grievance procedures on how it handles complaints of sex discrimination
 - Training for school employees & students

Steps Schools Must Take when an incident is reported

- Once it becomes aware of an incident, the school must take the following steps right away, even if its investigation has not started yet:
 - Tell the survivor how to file a Title IX complaint if (s)he chooses, and how to report an incident to law enforcement if (s)he so chooses;
 - Offer services that are available to survivors; and
 - Offer accommodations the school can make to ensure that the complainant feels safe and can continue her education.

- The school must try to minimize the burden on the complainant/survivor.

Once there's a formal complaint, the school must investigate

- When a student files a complaint with the school, even for a sexual assault occurring off campus during a non-school activity, the school must promptly investigate.
- If the investigation reveals that the conduct has created a “hostile environment,” it must take immediate and effective action to address the problem.
- Even if the police are conducting an investigation, a school is required to conduct its own investigation.

Example of Title IX Violations in K-12 Schools

- *Doe v. Forest Hills School District*
 - In 2013, NWLC and local counsel filed a lawsuit on behalf of a Michigan high school student, who was sexually assaulted by a star athlete in a soundproof band room.
 - The school did not properly investigate the claim or protect the student from subsequent cyberbullying and retaliatory peer harassment.
 - The same athlete later sexually assaulted another student.
 - Recently, after the judge ruled in favor of survivor on a motion, the case settled out of court.

The Title IX Grievance Process

- Both parties must be treated equally
 - ▣ Equal opportunity to present evidence, including witnesses.
 - ▣ Equal, timely access to information that will be used at the hearing.

- School must notify the complainant of time frames of the major stages of the complaint process, and these time frames must be prompt.

- School must tell the complainant:
 - ▣ How long it will take to complete a full investigation of the complaint (the recommended time is 60 days)
 - ▣ When it will inform both parties of the outcome; and
 - ▣ The time in which to appeal (if available).

The Title IX Grievance Process

- The Resolution
 - School must inform survivor and the accused, in writing, of the outcome.
 - If applicable, the school must provide both sides info on how it will remedy the hostile environment and prevent further harassment or any sanctions imposed.
 - School must take steps to prevent harassment from recurring.

Example of Title IX Violation in K-12 Schools

- *James Hill v. Madison County School Board*
 - In 2014, NWLC and local counsel filed an appeal of case against an Alabama school district.
 - Middle school had policy of not investigating sexual harassment claims unless the harasser was “caught in the act;” led to the rape of a 7th grade girl.
 - The girl was told by a teacher to act as “bait” in a failed sting operation to catch a boy with a history of inappropriate sexual behavior.
 - Court ruled in favor of the survivor on a motion; the case settled out of court.

What We Covered Today

- Race and Gender Stereotypes
- Disproportionate discipline that pushes girls out of school
- Pervasive sexual harassment and violence
- Discrimination against pregnant and parenting students
- Legal resources required under Title IX
- Read more at www.nwlc.org.

Questions & Answers

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