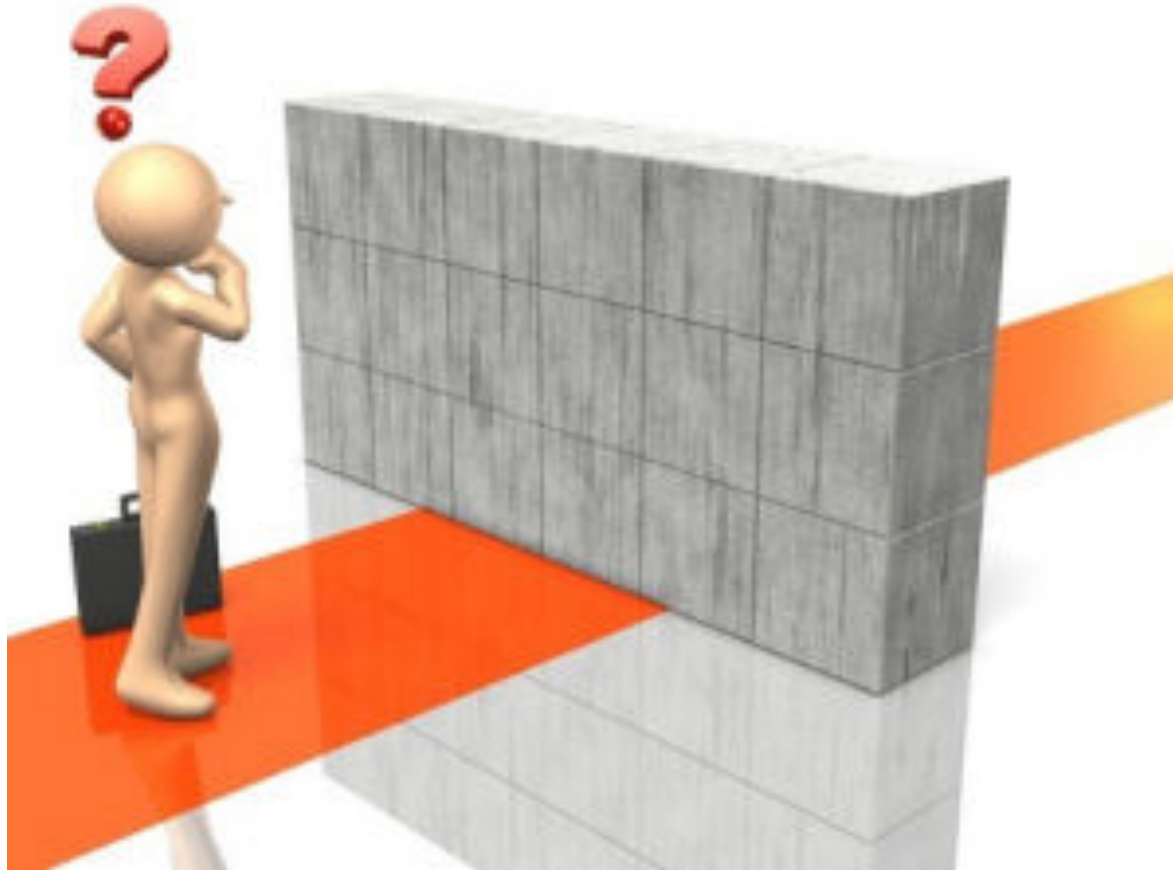


Creating Change

**BEYOND THE  
CLASSROOM**

# Barriers To Engaging In Policy Reform?



# Reasons to Push Past Barriers?

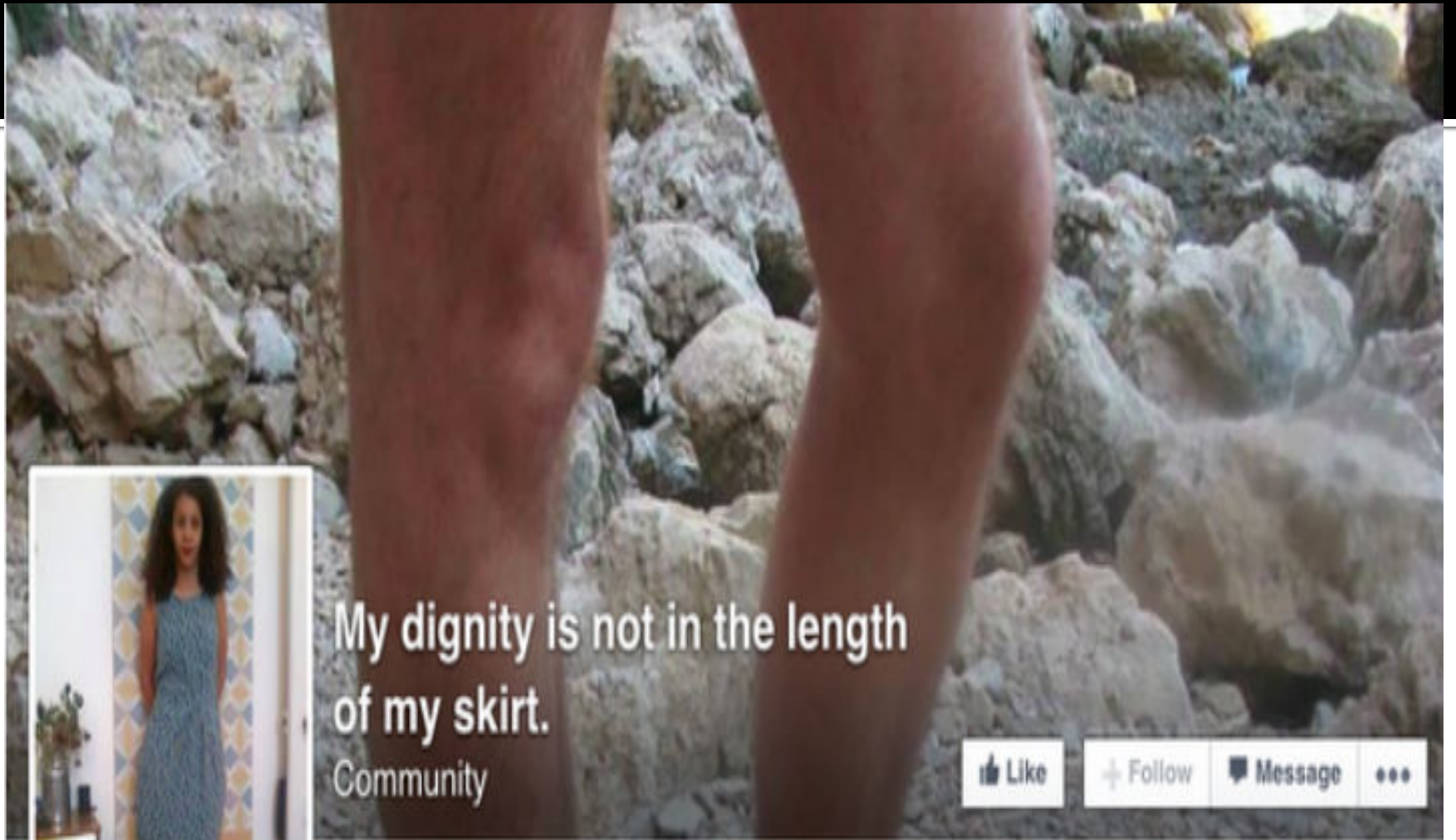




© mcvettemichelle via Instagram

She got dress coded for her shirt and missed her final. Shaming girls is apparently more important than education.





My dignity is not in the length  
of my skirt.

Community



**Timeline**

About

Pics

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### Gentlemen:

- A pair of **khakis** or dress slacks and a **collared** shirt would be appropriate.
- If you choose to wear a t-shirt, make your choices wisely.
- If you feel that you must wear jeans, wear nice ones.
- **PULL YOUR PANTS UP!** Your underwear choices should be your own private choice and remain private. Besides, it is a really bad look to be walking in hanging on to your drawers to keep them from falling down.

### Ladies:

- A **skirt or nice slacks** would be appropriate. Keep in mind that many of you will be on the stage and the stage is raised above the audience. This means that the audience will be looking up at you. Therefore, if your skirt is too short, it means that everyone in the auditorium will know exactly what kind of underwear you have on. The same guideline applies to you...some choices should remain private. If you don't have a longer skirt, choose slacks.
- Choose **modest attire**. No bellies showing, keep "the girls" covered and supported, and make sure that nothing is so small that all your bits and pieces are hanging out. Please remember as you select an outfit for the awards assembly that we don't want to be looking at "sausage rolls" as Mrs. Elliott calls them. As you get dressed remember that you can't put 10 pounds of mud in a five-pound sack.



# Protected Classes Under the Law

## Title VI of Civil Rights Act-

- Color of skin, Ethnicity, National Origin,
- **IMPLIES RELIGIOUS HERITAGE**

## Title IX of Education Amendment-

- Sex, Gender, Gender Identity Expression,
- **IMPLIES SEXUAL ORIENTATION**

## Section 504 of Rehabilitation Act and Title II of ADA-

- Mental and Physical disabilities

# School's Responsibilities

- A school has the responsibility to respond promptly and effectively. If a school knows or reasonably should know about sexual harassment or sexual violence that creates hostile environment, the school must take immediate action to eliminate the sexual harassment or sexual violence, prevent its recurrence, and address its effects.

# Bullying vs Discriminatory Harassment

- **Bullying:** Name calling, graphic and written statements that may include electronics and the internet. Conduct that is threatening, harmful, or humiliating.
- **Harassment:** When conduct creates hostile environment or when behavior is sufficiently **SEVERE, PERVASIVE, PERSISTENT.**
- **It is enough to prevent the student from fully accessing their right to an education**

*The DIFFERENCE: discriminatory harassment is bullying directed at a member of a protected class because of the person's membership in that class.*

# This means...

- If the bullying/harassment is on the basis of *race, color, national origin, sex, or disability*, and *creates a hostile environment*, a school is obligated to respond in accordance with the applicable federal civil rights statutes and regulations enforced by OCR.

## Factors to consider when determining whether a discipline issue may be district policy, state law or civil rights violation?

- Is this a bullying or harassment?
- Is the behavior *severe, pervasive, or persistent*?
- Is the target group part of a protected class?
- Based on the adults involved, what is the next logical step regarding compliancy?
- What are some options for preventing future incidents?

# Scenario 1

- In a local school, a pattern of boys taunting and cat-calling other female students has emerged over the course of the year. One day during PE class Derek calls Emilia, a classmate, a slut and whore. She left crying and went into the locker room. Another student, Annie, followed her and tried to console her. Annie went out to confront Derek. He proceeded to call her a slut and other derogatory terms. She slapped him in the face. He grabbed her and put her in a body hold and would not let her go. The PE teacher reported the incident to the administration. After a brief investigation the boy was suspended and Annie was referred to law enforcement and suspended.

# Scenario 2

- An openly gay junior in high school is often teased about his sexuality. His car is vandalized on several occasions, and he is taunted in the hallways for wearing non-normative clothing, and hairstyles. One day, he confronts an attacker, a peer who is in his gym class, who then challenges him to a fight. While still on school campus, the fight breaks out, and is quickly dissipated by administration. The peer is given detention for several weeks, and the young man suspended for 3 days. The principal advised the young man to not dress so flamboyantly, so as to avoid unwanted attention.



**KNOW**

**YOUR**

**RIGHTS**



# KNOW YOUR RIGHTS



## Long-Term Suspensions (10+ days)

1. All rights for short-term suspensions.
2. The student also gets a meeting or hearing.
  - The student must be given enough time to prepare.
  - The student must be given the name of any witnesses.
  - The student has a right to have another person with them who can represent them.

# KNOW YOUR RIGHTS



## Short-Term Suspensions (10 days or less)

1. They student must be told why they are in trouble.
2. The student must be given chance to tell their side of the story.
3. The school must inform the parents (In their Native Language)
4. The school must record what the they said happened and what the student said happened.

# All Students Have the Right to...

All students have the right to equal protection. That means you have the right to be free from discrimination at school. No student may be denied an equal educational opportunity – or discriminated against – because of:

- race
- sexual orientation
- previous incarceration or
- national origin
- religion
- pregnancy marital status previous arrest
- a physical, mental, or sensory handicap.
- Sex

Unfortunately, discrimination might still occur at your school, and it can come in a variety of forms. It might come up in the context of assigning students to academic opportunities, extracurricular activities or special school programs. It might also appear in the way you are treated by other students or teachers, or in the way you are disciplined.

# Language Rights

- Schools are required to send letters and notices to your parents in their primary language whenever it is practical. Your parents should get written notices in their primary language, especially important notices relating to school discipline, school attendance and special education. Your parents should also be able to talk to your teacher or principal, with a translator if necessary.

# Suggestions to Get Started

- Is there a problem?
  - Review your current policies
  - Review OCR to understand discipline patterns
- Familiarize yourself with Title IX & VI
- Read the 2011 Dear Colleague Letter
- Research model policies that could replace and substitute the current policy.
- Identify additional partners that would be interested in working on policy reform
  - Juvenile Justice Advocates
  - Faith Leaders/ Communities
  - Racial Justice Organizations
  - Women/ Minority owned businesses
  - Community Coalition
  - PTA / Parent / Single mother Support groups

# After an Incident Occurs

- Meet with the administrators
- Draft a Dear Colleague Letter with signatures from all local anti-violence programs and coalitions
- Write an Op-ed
- Host several radio and television interviews quoting language from administrators

"Every good law or case you study was once a dream. Every good law or case you study was dismissed as impossible or impractical for decades before it was enacted. Give your creative thoughts free reign, for it is only in the hearts and dreams of people seeking a better world that true social justice has a chance."

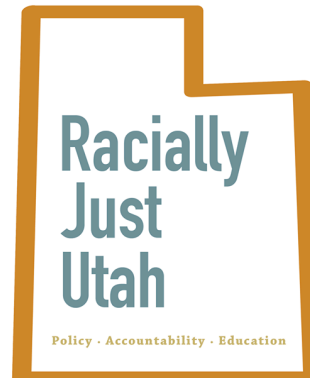
*-- Social Justice Lawyering*

# Contact Information



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