

RSU 19

AFFIRMATIVE ACTION TRAINING
AUGUST 2024

Training Theme: Protect
Students, Protect Yourself

WHAT IS AFFIRMATIVE ACTION?

- For Employees, these laws establish your responsibilities and create your rights as an employee to protect against discrimination and harassment
- For Students, school is their “workplace” so they are afforded the same rights and responsibilities.

Rights & Responsibilities

District Policies	Anti-Bullying Law
US Office of Civil Rights(Title XII)	Title IX
Americans with Disabilities Act	Whistleblower Act
Maine's Anti-Hazing Law	Age Discrimination Act
Maine Human Rights Commission	Maine Attorney General

TYPES OF DISCRIMINATION

- Race
- Age
- Religion
- Color
- Disability
- Gender
- National Origin
- Ancestry
- Political Affiliation
- Status as a Veteran
- Sexual Orientation
- Physical Appearance
- Social Class

SEXUAL HARASSMENT

- Elements of Sexual Harassment— Repetitive, One-Sided, Unwelcome, Pervasive, Victim Unable to Stop Behavior, Power over Victim
- 2 Types of Harassment
 - 1) “Quid Pro Quo”—This for that—Demands for sexual attention/contact for promotion, grade, etc.
 - 2) “Hostile Environment”—Unwelcome sexual conduct so severe it alters work environment.
- Employer Liability—“Employer knew or should *have known.*”

GENDER EQUITY

- Respect Pronoun choice
- Monitor stereotypical labels and roles
- Maintain equitable opportunities for all genders
- Include instructional practices that motivate/inspire all genders

SEXUAL ORIENTATION

- Hold all students to same expectation
- Review your own language/practice for bias.
- Not responsible for questioning students in regards to their orientation.
- Do not "OUT" students.
- Statistically LGBTQ students are at a higher risk for bullying and self-harm.

TRANSGENDER

- Respect student's gender they identify with
- Use the student's preferred name and pronouns consistent with their gender identity
- *Use the toilet, locker room, and shower facilities corresponding to their gender identity*
- Inadvertent slips and honest mistakes vs pattern of refusal to acknowledge a student's gender identity
- Respect

OTHER AREAS

Religion

Race

Political Affiliation

Social Class

Personal Opinion v Professional Practice

TYPES OF OFFENSIVE BEHAVIOR

- Offensive Language: Jokes, Taunting or Teasing
- Exposing Body—"Flashing"
- Physical or Verbal Threats or Intimidation
- Body Shaming
- Rumors/Gossip about alleged sexual activity
- Unwelcome Advances
- Suggestive or Lewd Remark
- Unwanted Hugs, Touches, Kisses
- Biased Language or Hate Speech
- Retaliation for Complaints

How do you protect students and protect yourself?

- Use the rule –“Do not do it, do not allow it.”
- Limit physical contact
- Avoid contacting students outside of school—e-mail, phone calls, entertaining at home, socializing, etc
- Avoid Being Alone with Students
- Unless it's part of your class lesson, shut down controversial or biased discussions.
- COMMUNICATE CONCERNS!

GOOD PRACTICES:

- Supervise your spaces.
- Model appropriate language, attire and behavior
- Solid classroom management
- Teach students to respect and accept the difference in others
- Empower students to communicate when someone has "crossed the line."
- Understand this is difficult for adults to do, let alone children, so you still need to address inappropriate behavior.

USE OF TECHNOLOGY

- School E-Mail
- School internet filters
- Personal Websites
- Social Networking
- Cell Phones
- Communicating with technology—text msgs, posts, videos, etc

Maintain Professional Boundaries

- You are entitled to your opinion but work or the classroom is not your platform to express it.
- Do not discuss your personal issues with students or colleagues.
- Do not make the assumption “we’re all adults so it’s OK.”
- Sarcasm never lands well—avoid it.
- Social Media pitfalls—FERPA

WHERE CAN EMPLOYEE ISSUES OCCUR? ANYPLACE!

- You are responsible for professional conduct at work
- Be mindful of:
 - 1) Break Room "banter"
 - 2) "Hot Topic" Debates
 - 3) Terms of Endearment
 - 4) Comments on physical appearance
 - 5) Humor
 - 6) Requests for dates
 - 7) Personal Items

CONFIDENTIALITY

- What if a student requests you to “keep it a secret?”—You can’t promise confidentiality. You are a mandatory reporter, assure them only those that need to know, will know.
- Keep details of an act, investigation or corrective action confidential.

STUDENT CONSEQUENCES

- Discussion with Affirmative Action Officer, Administrator or Counselor
- Change Class, School, or Bus
- Disciplinary Action from warning to expulsion
- Counseling
- Legal Action
- *Ensure perpetrator receives consequence and not the victim*

EMPLOYEE CONSEQUENCES

- Verbal Warning
- Written Reprimand in File
- Placed on Administrative Leave
- Loss of Employment
- Legal Action
- Negative Publicity

GOOD JUDGEMENT

- “Reasonable Person” standard—what would a reasonable person
- Common Sense—Use it!
- Trust your own judgment—when red flags are going off in your head it’s time to talk to someone about it!
- **COMMUNICATE YOUR CONCERNS!**

What can you do? Be Proactive!

- When's the last time you checked your filter?
- How's the content of your conversations with students and/or colleagues? Are they laughing because it's funny or they're uncomfortable???
- Do you have some biases in your lessons?
- Do you have biased classroom practices?

PROTECT YOURSELF

- Make reports immediately
- Keep accurate records
- If unsure, err on the side of caution
- Be clear and consistent with your rules
- Enforce school rules and policies
- Communicate with your supervisor

RESOURCES

- Affirmative Action Representatives and Officer
- Building Administrators
- School Libraries
- State Attorney General
- US Office of Civil Rights
- Maine Human Rights Commission
- Equal Employment Opportunity Commission
- Local Law Enforcement

RISKS

- Physical and/or Emotional damage to you or a student
- Lawsuits
- Loss of Employment
- Loss of Certificate
- Negative Press
- Legal Action

REWARDS

- You are protected.
- The focus is on learning and your work--not other issues.
- Students and Colleagues feel safe around you and in our schools and work spaces.