

School Board Report

- Tonight I would like to speak to you in my role as the Cape Elizabeth School Department Affirmative Action Officer and Title IX Coordinator.
- For the past couple of years, there has been, appropriately, heightened awareness of, and sensitivity to, gender-based discrimination and sexual harassment. The Me Too movement has drawn attention to the prevalence of sexual violence, and just today two cases concerning gay rights and transgender protections were argued before the Supreme Court.
- As a community, we have been working hard to respond to these changes. We've also sought to be proactive in ensuring the physical, social, and emotional safety of our students and staff while they are in our schools.
- One way we do so is through policy. For example, last spring the Policy Committee made several revisions to Policy ACAA - Harassment and Sexual Harassment of Students, including expanding the investigative responsibilities of the Title IX Coordinator to help keep our students safe. These changes were adopted at the June School Board meeting. And tonight, this policy is again before you, this time to ensure that harassment on the basis of a student's gender identity or expression is strictly prohibited.
- The Policy Committee is also recommending updates to Policy AC - Nondiscrimination/ Equal Opportunity and Affirmative Action and in the coming months will be considering revisions to Policy JLF - Reporting Child Abuse and Neglect and the development of a new policy, JLFA - Child Sexual Abuse Prevention and Response, in order to strengthen our capacity to keep our students safe.
- Another way we protect students is through procedures. For the past couple of months, a group of stakeholders have been reviewing and improving the investigative procedures associated with Policies ACAA and JLF. These participants include the superintendent, myself, a CEHS social worker, the CEHS health teacher, a CEMS counselor, a PCES social worker, our chief of police, and a CEHS student. Discussions have been serious, earnest, and thought-provoking. We want to make it as easy as possible for students who believe themselves to have been the victim of discrimination or harassment to get the support they need. For this reason, we're continuing to emphasize that students can bring their concern to any staff member and are further clarifying the steps that school and district administrators must follow.
- As mentioned, our top priority is to ensure the safety and well-being of our students. When there is a possibility that discrimination and harassment have occurred, we provide immediate, interim comprehensive supports to the student who has brought the complaint. We also stop whatever we're doing to investigate the allegation right away.

- In the past year, we received ten complaints, including an anonymous complaint, regarding possible violations of Policy ACAA in our schools. Nine of the ten complaints concerned sexual harassment and ranged from words, gestures, and photos to unwanted sexual contact. Some of the alleged harassment occurred on campus during school hours; in other cases, it occurred in students' homes or hotels, on weekends or during school breaks. We investigated all of the complaints because regardless of where and when they occurred, it is our duty and desire to make sure our students feel safe at school. In five of the ten cases, we determined that it was "more likely than not" that harassment had occurred and we imposed disciplinary measures, including, in one case, the maximum penalty contained in our policy. Federal and state privacy laws prevent us from sharing any further details.
- As importantly, in all cases, regardless of the finding, we have provided significant supports to the students who brought the complaints, including counseling and limits on where the alleged perpetrators can be while in school.
- A third way we protect students is through training. For example, last June we hosted a training for all of our administrators and therapeutic personnel on federal and state laws pertaining to sexual harassment and sexual abuse. Our police chief and the Cumberland County district attorney also attended this training. The purpose of this training was to seek guidance on the intersection of Title IX, which is a federal law, and Mandated Reporting, which is a state law. Under Title IX, social workers are considered "confidential employees," which means that they do not have to report allegations of harassment to school or district administrators when asked by the student victim not to do so. In fact, social workers might be called before their licensing board for doing so. However, under current interpretations of the Mandated Reporting law, all employees of the Cape Elizabeth School Department are required to report cases of suspected child abuse or neglect. If the alleged perpetrator is a parent or guardian, the report is made to the Department of Health and Human Services. If the alleged perpetrator is not the child's custodian, then the report is made to the District Attorney's office. Having received this additional guidance, all employees, including social workers, are now adhering fully to the Mandated Reporting requirement.
- In addition, all CESD employees, beginning with bus drivers, nutrition services workers, and custodians in August and continuing with teachers and administrators this fall, are receiving training in child sexual abuse awareness and prevention as required by L.D. 1180 - An Act to Require Education in Public Preschool Programs and Elementary Schools Regarding Child Sexual Abuse.
- We are also increasing our educational programming for students. For example, school counselors, social workers, and health teachers in all three schools are collaborating with the Children's Safety Partnership and the Maine Department of Education to expand our child sexual abuse prevention curriculum. The intent of this curriculum, which will be codified in new Policy JLFA, is to:

- Include age-appropriate education regarding physical and personal boundaries, including biologically accurate body terminology;
 - Help children identify unsafe or uncomfortable situations including a range of feelings, touches, or violations of physical boundaries;
 - Help children identify safe adults with whom they can talk about unsafe or uncomfortable situations; and
 - Help children identify and develop skills to support a friend who may be experiencing safe or uncomfortable situations.
- In addition, the middle school has received a CEEF grant to partner with Hardy Girls Healthy Women and Maine Boys to Men to offer programming on gender stereotypes, gender-based violence prevention, and bystander education to 7th and 8th graders. Middle school counselors are also working with the Sexual Assault Response Services of Southern Maine (SARSSM) and the Young Adult Abuse Prevention Program (YAPP) to provide sexual harassment and violence prevention programming to all students in grades 6-8.
- Trauma-informed education on these topics, with a particular focus on what affirmative consent means and how to stay safe online, has long been part of the high school health curriculum. And we are continuing to take advantage of community resources to build student awareness and skills, including by partnering with SARSSM and YAPP to sponsor our third biennial all-day workshop for juniors and seniors. This Sexual Assault Awareness for Everyone Event will take place next spring.
- Finally, as soon as revisions to the various policies and procedures I've mentioned tonight have been completed, we will be collaborating with students and staff to plan additional education and training. We want to make sure that everyone understands their role and responsibilities in preventing gender-based discrimination and sexual harassment as well as all of the constructive actions they can take to maintain the safety and well-being of our students, which has been, and always will be, our highest priority.