

Ector County ISD
Sexual Harassment Training
2025-2026



What is sexual harassment?

- Sexual Harassment is defined as unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person's equal access to the recipient's education program or activity.



Intent vs. Effect

- The intent of the person who engages in sexual harassment is irrelevant; the investigation focuses on how the recipient feels about the behavior.



Examples of Sexual Harassment Verbal, Non-Verbal, or Physical

- Sexual propositions and advances
- Vulgar Language
- Sexual Touching
- Embarrassing Questions
- Sexual Jokes
- Discussing Sexual Activity
- This list is not intended to be all inclusive



Title IX Protections:

- Title IX protections include discriminatory conduct that is:
 - Between Students
 - Between Employees and Students
 - Between the District in its capacity as employer and its employees
 - Others who would otherwise receive the benefits or participate in educational programs
- Title IX regulations apply to all students in the United States and across all grade levels

Where can Sexual Harassment occur?

- Text and Email
- Classrooms
- Offices
- Social Media: Instagram, Twitter, Facebook, Snapchat
- Hallways
- Buses
- Field Trips
- Sporting Events
- Restrooms



- **Areas of Substantial Control**

- **Substantial Control is a location, event, or circumstance over which the educational institution exhibits substantial control over both the harasser and the context in which the harassment occurred.**

Sexual Harassment in Education Programs and Activities

- Falls into one of the three categories below:
 - Quid Pro Quo
 - Hostile Environment
 - Sex Violence
 - Sexual Assault
 - Dating Violence
 - Domestic Violence
 - Stalking

Quid Pro Quo- “This for That”

- When an individual in a position of authority offers a subordinate a benefit in exchange for a sexual favor.
 - Example:
 - Supervisor offers an employee a promotion or paid time off if they will go out with them over the weekend
 - Teacher offering a better grade or incentive in exchange for a sexual favor



Hostile Environment

- UNWELCOME conduct on the basis of sex that is so SEVERE, PERVASIVE, and, OBJECTIVELY OFFENSIVE that it effectively **denies** a person equal access to the program.
- Can be student to student, student to employee, employee to student, or employee to employee
- Sexual Harassment can occur between people of any sex
- NOTE: Many things happen in schools that are inappropriate and sexually oriented, but fall short of this definition.



Hostile Environment

- SEVERE – refers to the seriousness of the harassment
- PERVASIVE – frequency of the harassment and length of time over which it has occurred
- OBJECTIVELY OFFENSIVE - conduct is wrong without the influence of your personal beliefs or feelings
- Remember: The intention of the accused may be irrelevant as compared with the perception of the person claiming harassment.

Think about this.....

- A parent calls the AP and alleges his daughter was called a slut after school and tapped on the backside by a boy, during school hours, on school campus. This is the first time this behavior has occurred.
- Parent is offered supportive measures
- Parent states they do not want to File a Formal Complaint, but they want the behavior to stop.
- The boy admits the behavior but conduct falls short of the Title IX definition of sexual harassment
- Student may be disciplined in accordance with Student Code of Conduct but do not call it sexual harassment

Supportive Measures

Supportive Measures are non-disciplinary, non-punitive individualized services as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a formal complaint or where no formal complaint has been filed.

- Examples of Supportive Measures:
 - Counseling
 - Mutual Restrictions: Stay Away Agreement
 - Modification of Schedule
 - Increased Monitoring or Supervision
 - Early or Late release from class
 - Change of campus if appropriate



What triggers a sexual harassment investigation?

- A school district with actual knowledge of sexual harassment in an education program or activity of the district against a person must respond promptly in a manner that is not deliberately indifferent.



Is there actual knowledge?

- Two students report to a teacher, that a male teacher is making inappropriate comments regarding their attire, bodies, and chatting with them at night via email. The comments and unwanted communication are making them uncomfortable.
- A student confides in a teacher's aide that she is being touched daily on the bus.

Both of these situations are examples that put the school on notice of “actual knowledge”.

How to report sexual harassment

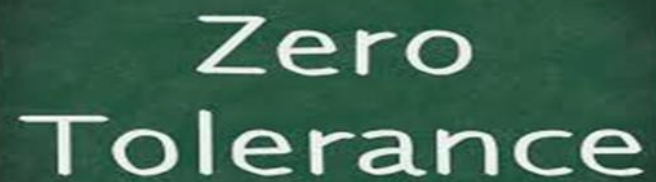
- Immediately contact your campus administrator
- Fraud & Ethics Hotline
 - 1-844-600-0087
 - All calls are confidential and the identity of the caller will remain anonymous
- If unable to report to campus administration you may report to the Title IX office

Whose responsibility is it to report?

- All employees must immediately/promptly report all instances of suspected sexual harassment to a campus administrator or department director.
- Failure to report alleged sexual harassment will result in disciplinary action up to termination.
- If the incident could be child abuse, the employee **MUST** report to Child Protective Services (CPS) or law enforcement within 24 hours of learning of the incident.

Employee Consequences for Sexual Harassment:

- Ector County ISD has a zero tolerance sexual harassment policy.
- Substantiated allegations lead to termination of the guilty party.



Zero
Tolerance

When does liability attach for employee harassment?

- A school district or individual administrator may be liable for the sexual harassment of an employee when *the administrator knew or should have known of the harassment and failed to take prompt, remedial action.*



Employee to Student Sexual Harassment

- Includes any welcomed or unwelcomed sexual advances, requests for sexual favors, and other verbal, physical, or visual conduct of a sexual nature.



Employee to Student Sexual Harassment

- School employees face personal liability and can be subject to litigation.



Posted: Wednesday, May 4, 2016 9:19 am

By Nathaniel Miller nmiller@oaoa.com



Posted on May 4, 2016
by Nathaniel Miller

Former Permian High School teacher Jay Dee Burns was formally sentenced to 60 years in prison Wednesday

morning by 70th District Judge Denn Whalen a week after he was given prison time by an Ector County jury.

Burns, 45, pleaded guilty to nine felony counts April 25 and was sentenced to 10 years on each of the four improper relationship between an educator and a student charges, 15 years on each of the three sexual assault of a child charges, 15 years on the indecency with a child charge and 10 years on the stalking charge. Burns will also have to [register](#) as a sex offender.

He admitted to having sexual relationships with two students, a 16-year-old girl and an 18-year-old girl, when he was a teacher at Permian in 2015.



Avoid the Slippery Slope



- DO NOT engage in social media with students. This includes all forms of social media including but not limited to Snapchat, Twitter, Instagram, Facebook.
- DO NOT Text with students. You are to utilize only school/school activity approved platforms. (Example: SportsU, Band App etc)
- DO NOT email with students from your personal email.
- DO NOT send or receive pictures from students
- DO NOT give unwanted gifts to students.



Employee Vulnerability

- Hugs, squeezes, grabs, winks, tickling, kisses
- Holding or putting students on your lap
- Driving students
- Zipping Pants and changing undergarments
- **Please Keep ALL Actions Job Related**



What will happen to a school employee who sexually harasses or abuses a student?

- The employee will be arrested and prosecuted for the crime.
- Perpetrator can be sued by the victim for monetary damages
- Will be **TERMINATED** from ECISD and reported to TEA and SBEC



Protect Yourself

DON'T

- Mix social life with job related decisions
- Talk about sex on the job
- Respond to seductive behavior
- Be alone with a student
- Engage in SOCIAL MEDIA with students!!
- **TOUCH STUDENTS UNLESS NECESSARY**



Protect Yourself

ALWAYS

- Report any outside contact initiated by students
- Keep all actions job-related
- Keep compliments merit based
- Model expected behavior
- Keep your hands to yourself
- **AVOID PERSONAL RELATIONSHIPS with STUDENTS**

Preventing Sexual Harassment Among Students:

- Be vigilant and protect students from inappropriate words or actions
- Teach and expect respect
- Encourage students to be assertive and establish personal boundaries
- Deal with inappropriate behavior consistently. Do not ignore allegations
- Take steps to prevent re-occurring events/patterns

Prevention/Elimination of Harassment is Everyone's Responsibility

- If you see it report it.
- Treat all allegations seriously!
- Keep a record of any actions you take to stop/report sexual harassment
- If the allegation involves abuse you must **CONTACT ECISD POLICE AND CPS**. Be sure to document the case number provided following a report.



Know and Enforce District Policy

- DH (Local)- Employee Standards of Conduct
- FFH (Legal) and (Local)- Student Welfare: Freedom from Harassment
- CQ Regulation- Electronic Communication
- DIA (Legal) and (Local)- Employee Welfare: Freedom from Harassment

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