

# Sexual Harassment and Assault of Students with Disabilities

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# Content Warning

**\*\*SASH Club Power Topics may include sensitive content that may be difficult to present and may possibly be triggering to some participants.\*\***

**You may want to seek the support of an ally during this presentation, especially if you're a survivor of sexual violence.**

# What's Ahead:

- What is sexual harassment?
- What is ableism?
- Discussion questions
- How are students with disabilities impacted by sexual harassment and assault?
- Who are the perpetrators of sexual harassment and assault?
- Scenarios
- Why is it difficult to get help?
- Does Title IX protect students with disabilities?
- Title IX is consistent with disability civil rights laws
- How can we support students with disabilities?

# What is sexual harassment?

- Sexual harassment is any unwanted sexual conduct such as, but not limited to:
  - “Jokes,” slurs, rumors, or sexual sounds and gestures
  - Sexual messages, pictures, or showing porn
  - Kissing or touching of private body parts, including rape
  - Insults, threats, violence, or stalking from someone you are dating or previously dated
  - Any romantic or sexual contact between a child and an adult, even if the child likes the adult or doesn’t reject the relationship

# What is ableism?

- > Ableism is discrimination and social prejudice against people with disabilities based on the belief that typical abilities are superior.
- > Ableism includes, but is not limited to:
  - “Jokes” about people with disabilities
  - Phrases and “sayings,” e.g., “That’s so lame!”
  - Questioning if someone has a disability
  - Assuming people must have a visible disability to be considered “disabled”
- > **Check out this resource from the Everyday Activism Network on how to be an anti-ableist!**

# Talk About It



- Do you have any friends or classmates who have one or more disabilities?
- Do you have a friend or a classmate who has experienced ableism? What happened?
- Have you ever seen someone bullied, discriminated against, or otherwise mistreated at school because they have a disability?

# How do disabilities affect students?

- > Youth with disabilities are almost **three times** more likely to be sexually abused than their peers without disabilities.
- > Girls with disabilities are at even greater risk of sexual harassment or assault because of their disability and their gender.



# How do disabilities affect students?

- > 17.3% of LGBTQ+ K-12 students reported being harassed online based on their actual or perceived disability.
- > High school students with disabilities are almost **twice as likely** to experience cyberbullying than their peers without disabilities.

# Who are the perpetrators of harassment?

- K-12 students with disabilities are sexually harassed by teachers, classroom aides, school staff members, bus drivers, and other students (with and without disabilities).
- Students with disabilities are far more likely to be *victims* than *perpetrators* of sexual assault.
- Sexual harassment and abuse begin as early as elementary school!

# Scenarios

**Instructions: Break into two teams to discuss the following scenarios and questions.**

How is disability a factor in these incidents?

If you knew about these incidents, how would you respond?

What barriers do you think these students experience in reporting?

# Scenario 1

Shannon is a high school student with partial vision who is constantly being harassed by boys in her school. They frequently make sexual jokes about her body. One day, while walking to physics class, a boy grabbed her breasts in a hallway. Shannon confides in you about what happened.



## Scenario 2

Jason is a student with Down Syndrome. Jason relies on school transport, a bus, to go to and from school. An older male student in the same bus is constantly touching Jason in a sexual manner without his consent. Jason tried to tell the bus driver about this student but was told to “get over it.” One day, while riding on the bus, the older male student grabs Jason by the arm, takes him to the back of the bus, and sexually assaults him.

## Scenario 3

Denise is a middle school student who uses a wheelchair. Denise usually arrives early to class before her classmates and is usually alone except for her teacher, Mr. Jones. One day, Mr. Jones tells Denise that she is his “favorite student” and puts his hand on her shoulder without her consent. Denise feels uncomfortable but is afraid to say something. Mr. Jones repeatedly touches Denise on her shoulder, then gradually moving on to her knee, over the span of a month. One day, while they are alone in the classroom, Mr. Jones puts his hand down Denise’s shirt. Denise is afraid to report this and comes to you for advice.



# Why is it difficult to get help?

- > Students with disabilities are especially likely to be ignored or punished, or their school might retaliate against them for reporting sexual harassment and assault.
  - This is due to ableist stereotypes held by school administrators who think that the harassment was “minor” and that it “doesn’t matter” or that students with disabilities are not “worth protecting.”



# Why is it difficult to get help?

- > Students with disabilities are often labeled as “not to be believed” or are viewed as “asexual.”
- > Some students, particularly with intellectual and cognitive disabilities, may have difficulties communicating what happened to them or understand how damaging it is.



# Does Title IX protect students with disabilities?

- > **Yes!** Students with disabilities have the right to supportive measures and accommodations under both Title IX and Section 504 (of the Rehabilitation Act of 1973).

# Title IX is consistent with disability civil rights laws | pt. 1

- Title IX does not require schools to take any actions inconsistent with laws that protect students with disabilities, including Section 504 of the Rehabilitation Act of 1973 (Section 504), the Americans with Disabilities Act (ADA), and the Individuals with Disabilities Education Act (IDEA).



# Title IX is consistent with disability civil rights laws | pt. 2

- Under Section 504 and the ADA, ALL students with disabilities in a school disciplinary proceeding have a right to reasonable accommodations.
  - A student with a disability who is found to have harassed/assaulted another student (disabled or non-disabled), can request reasonable disability accommodations during the Title IX proceedings.
    - » For example, they can request a sign language interpreter, large print documents, or plain language documents.
    - » Schools should administer proportionate discipline and rehabilitative measures appropriate to their disability.

# Title IX is consistent with disability civil rights laws | pt. 2

- Students who report being sexually harassed/assaulted have a right to request reasonable disability accommodations, including accommodations for new disabilities caused by the harassment.
  - For example, the victim can request the school to move their harasser to a different class, reschedule their course exams, or provide a tutor if they are struggling academically. These are a few of many potential accommodations that can be requested!

# How can we support students with disabilities?

- Support survivors. Let them know you believe them and are there for them.
- If your school has a sex education curriculum, request that it include the topic of sexual harassment of students with disabilities. Also, request that the school adapt this curriculum, that it is age and developmentally appropriate, so it can be taught specifically to students with disabilities.
- Call out ableist and sexist jokes & speech.



Reach out to educate others in the school and community, (e.g., organize a school or community presentation).

# Special thanks & acknowledgments

- > We thank Dr. William A. Howe, Connecticut State Title IX Coordinator (retired), whose knowledge on Title IX informed the creation of this toolkit.
- > We also thank SSAIS volunteer, Victoria Scalo, for creating this toolkit.

# Sources & acknowledgements

- **Ableism 101 - What is Ableism? What Does it Look Like?**
- **FAQs on Title IX and Supportive Measures for Students in K-12 and Higher Education - National Women's Law Center, pg. 7.**
- **Ruderman White Paper Reveals: Students with Disabilities are Almost Twice as Likely to Be Victims of Cyberbullying – Ruderman Family Foundation, pg. 3.**
- **Stopping School Pushout for: Girls With Disabilities - National Women's Law Center, pg. 7.**
- **Survivor Justice Is Disability Justice - National Women's Law Center, pgs. 2-3.**
- **The 2021 National School Climate Survey | GLSEN, pg. 21.**
- **Title IX at 50: A Report by the National Coalition for Women and Girls in Education - National Women's Law Center Intersectional Discrimination, pg. 56.**

# To Do Immediately if Sexually Assaulted

- > Get away from the attacker to a safe place as fast as you can.
- > Then call 911 or the police.
- > Call a friend or family member you trust.
- > You can call a crisis center or hotline to talk with a counselor.
- > One 24/7 option, for all genders, is the Rape, Abuse & Incest National Network (RAINN) National Sexual Assault Hotline at 800-656-HOPE(4673).
- > RAINN will connect you with a rape crisis center in your area.
- > Visit the [Survivor Support page](#) for more helpline options and details.

# To Do Immediately if Sexually Assaulted

- > **Preserve the evidence, even if you are unsure you will report.**
- > **Do not:**
  - Wash, comb your hair, or clean any part of your body
  - Brush your teeth
  - Change clothes, if possible, so the hospital nurse can collect evidence
  - Touch or change anything at the scene of the assault
- > **Seek medical attention ASAP at your nearest hospital ER:**
  - You need to be examined, treated for any injuries, checked for possible sexually transmitted infections (STIs) or pregnancy, and can receive preventative medicine.
  - The nurse or doctor will collect evidence the attacker may have left behind.
- > **Ask hospital staff to connect you with a local rape crisis center.**

# If You are Sexually Harassed

**It isn't your fault... and you can get help to make it stop.**

- Reach out ASAP to a friend, school counselor or trusted adult for immediate safety & support to bring the issue to your Dean of Students, Principal, or Title IX Coordinator.
- Confidential National Sexual Assault Hotline: 1-800-656-4673  
[www.rainn.org](http://www.rainn.org)
- Learn about your rights and how to take action on the [Stop Sexual Assault in Schools website](http://StopSexualAssaultinSchools.org).

# Feedback & Suggestions:

SASH Club welcomes your feedback and suggestions on the content of this presentation. Contact us via:

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> Contact an adult advisor with your questions or concerns about local issues.



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