

RESEARCH ARTICLE

Sexual Misconduct Policies in Secondary Schools: A Mixed-Method Analysis of In-Person and Online Behaviors and Consequences

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ABSTRACT

Background: As students' use of mobile devices during school hours continues to increase, cyberbullying and online sexual harassment now occur during school hours, on school grounds via personal devices. Despite this growing reality, there is little knowledge about secondary school efforts to address it.

Methods: To understand what is needed to construct or reform policies that reflect students' online experiences, we used a mixed method approach to identify and analyze language (e.g., definitions, disciplinary measures) in sexual misconduct policy documents from a large, representative sample of secondary school districts in a midwestern state.

Results: Although few districts (14.7%) maintained separate or distinct policy documents related to sexual misconduct, the majority (80.9%) defined sexual harassment within a policy document, most commonly within broader codes of conduct or student handbooks. Only 14.1% of districts maintained cyberbullying policies containing information on online sexual misconduct, and approximately one third of districts included discussion of any form of online sexual misconduct within any policy documents.

Implications for School Health Policy, Practice, and Equity: Secondary school administrators should address the ever-growing occurrence of online sexual misconduct (and its impact on students) by expanding sexual misconduct policies that detail how online misconduct will not be tolerated and how survivors of digital sexual violence (e.g., image-based sexual abuse) will be protected.

1 | Introduction

Ensuring the safety and wellbeing of adolescents is pivotal for nurturing an inclusive and secure academic environment in secondary schools. Sexual misconduct, inclusive of sexual harassment and sexual assault, is a common phenomenon that threatens adolescents' safety and contributes to a hostile

learning environment. Although sexual violence (including sexual harassment) and bullying decreased from 2011 to 2015, incident rates have increased among adolescents since 2015 [1]. Studies suggest that experiencing sexual harassment (not just physical sexual assault) can negatively impact one's academic achievement and mental health, leading to outcomes like reduced feelings of safety at school, disordered eating behaviors, substance

abuse, and self-harm [2–5]. For today’s digital native youth, in addition to face-to-face experiences, sexual misconduct also occurs in online spaces, often in the form of sexual cyberbullying, nonconsensual sexting, and image-based sexual abuse. Despite the attention given to policy aiming to reduce rates of in-person sexual misconduct, online sexual misconduct policy interventions, particularly in secondary schools, are largely understudied.

Policies for any institution are a crucial mechanism for communicating expectations, prioritizing safety, complying with law, and outlining options for victims of sexual misconduct. There has been a concerted effort to develop sexual misconduct policies and prevention strategies on college campuses [6], but less is known about sexual misconduct policies in secondary schools [7]. It is unclear if there are systematic patterns in secondary school misconduct policies, particularly for policies that address online sexual misconduct. To start to address this gap, we aimed to identify and describe common policy approaches to in-person and online sexual misconduct in a state-wide, representative sample of secondary schools in a midwestern state.

1.1 | Online Sexual Misconduct Among Secondary School Students

Research underscores the dominance of the online sphere as the primary social realm for today’s youth [8]. In general, the effects of online interactions are part of the larger social influence process within a secondary educational context. Social media is an omnipresent aspect of adolescents’ social experience, and peer norms are practiced in the form of comments, likes, and online discussions. These interactions are mostly positive or benign [9, 10] but can become harmful when they rise to the level of online sexual harassment, which is disproportionately experienced by cisgender girls and LGBTQ youth [11]. The COVID-19 pandemic further intensified online sexual harassment as it was the primary social context for many months, necessitating explicit policies that encompass both virtual and physical realms [12]. These online interactions with peers do not occur exclusively after school; it is becoming more common for adolescents to use mobile devices to interact on social media and other platforms throughout the school day [8].

Adolescents’ social experiences also become sexual (both online and in-person) in nature as they seek to learn about their emerging sexuality, for example, by seeking out pornography online. Among a U.S. national sample of adolescents, approximately 54% of teens viewed internet pornography before the age of 13, with 52% reporting that they had seen violent pornography [13]. Pornography exposure is no longer an afterschool activity, as it is now accessible at school, and sharing internet pornography during school-sanctioned events, on buses, or within classrooms has emerged as a concerning trend. Most teens (60%) who reported having ever seen pornography during the school day reported seeing it several times a month, including two in five (40%) who said they had seen pornography at school at least weekly [13]. The increased ability to view and share pornography during the school day suggests the need for related policies and protocols, particularly because viewing pornography at school sometimes constitutes sexual misconduct. For example, some heterosexual

boys may show LGBTQ+ students gay pornography as a means of intimidation [14].

“Sexting,” or the sharing of self-produced explicit content, has also gained traction among adolescents, with a significant proportion of high school students engaging in this behavior. According to a meta-analysis, 14.8% of high school students report sending and 27.4% report receiving a sext, with prevalence for both sending and receiving sexts increasing over time [15]. Even when seemingly consensual, sexting is often coercive, such as when one student is repeatedly asking another student for a nude image or even blackmailing them to comply. In general, cisgender girls and LGBTQ+ students are more likely to be coerced into sexting than cisgender heterosexual boys (Van Ouytsel et al., 2024). When sexting is nonconsensual and/or occurring during school hours, it can rise to a form of sexual misconduct that contributes to a hostile learning environment, particularly for girls and LGBTQ+ students.

The nonconsensual distribution of nude images or video of another without that person’s consent, often with the goal of intimidation, humiliation, or revenge has been referred to as “revenge porn;” however, image-based sexual abuse is an emerging umbrella term that is more relevant as it encompasses many forms of nonconsensual sexting and sharing of images [16]. For obvious reasons, image-based sexual abuse can contribute to a hostile educational environment. In particular, students may use apps such as Snapchat and Instagram to create school “slut pages” or secret accounts and websites where a group of (usually) boys share nude and semi-nude images of (usually) girls among themselves [17]. These pages are often specific to high schools, fraternities, and the military, with some reports indicating that girls and women experience post-traumatic stress disorder symptomatology once learning that they appear on their school’s slut page [18]. Specific to the state of Michigan, previous research revealed that approximately 33% of Michigan school staff reported awareness of a “slut page” at their school, but did not know what to do about it [17]. For the purposes of this study, we use the term “online sexual misconduct” to encompass the aforementioned behaviors (i.e., online sexual harassment, viewing pornography, sexting, image-based sexual abuse).

1.2 | Policies That Address Violence in Institutions of Learning

The federal regulation that most clearly addresses sexual misconduct in secondary school settings is Title IX of the Education Amendments of 1972. Title IX prohibits discrimination on the basis of sex in federally funded education programs, including public high schools [19]. Various Department of Education guidance documents have noted that sexual harassment may constitute sex-based discrimination in that it creates an unsafe, hostile environment that impedes students’ rights to access education and related programs [19, 20]. Additionally, under Title IX, schools are expected to take steps to prevent sexual harassment, both in person and online, and have policies that (a) explicitly ban sexual harassment, (b) outline the process of responding to instances of sexual harassment, and (c) provide for interim measures to restore educational access to affected parties [21]. Despite this guidance, examination of secondary schools’ policies

suggests school districts are more likely to define and describe bullying in comparison to sexual harassment [22], indicating they may be more focused on general bullying prevention than sexual harassment specifically.

U.S. school districts have actively embraced anti-bullying laws as they are widely used across the U.S. Indeed, all 50 states have general anti-bullying laws for public schools [23]. However, schools often neglect to address sexual harassment, as only 21 states have laws specifically banning it in schools. Sexual harassment is unique as it is a form of bullying *and* sex-based discrimination [24], suggesting that school policies could choose to address sexual harassment and misconduct that fails to meet Title IX thresholds under their bullying policies. The importance of school districts discussing sexual harassment and misconduct, online and offline, in their bullying policies is underscored by the reality that state policies may not always include sexual harassment in their definitions of bullying, and federal policy definitions of sexual harassment have shifted with presidential administrations in recent years [20, 22].

1.3 | The Importance of Secondary School Policies and Sexual Violence

Institutional policies of all kinds are often born in response to oppression [25]. As institutions are notorious for the oppression of their most marginalized members, policies can act to counterbalance power. One way in which they counteract oppression is by empowering individuals to take action against injustices. Empowerment theory has been applied to school settings for the purpose of understanding practices to mitigate oppression caused by bullying behaviors [26]. For the purposes of this article, the definition of “the process of increasing personal, interpersonal, or political power so that individuals, families, and communities can take action to improve their situations” (p. 229), is used for the basis of understanding empowerment [27]. When empowerment theory is applied to sexual misconduct policies in schools, it posits that the policy will act as a mechanism to empower students and staff to act against the injustice of sexual misconduct (as it disproportionately impacts girls and LGBTQ+ youth). Thus, clear policies that enumerate what counts as sexual misconduct, what will happen to those who perpetrate it, and how victims will be protected and supported will act to mitigate oppression via empowerment of the marginalized.

When school policies clearly state that sexual harassment is not tolerated, they are more successful at empowering staff to intervene when it is occurring among students [28]. For example, studies in California and Massachusetts have shown that teachers feel more comfortable intervening to stop harassment when explicit policies are in place protecting LGBTQ+ students. One-fourth of teachers intervened “most of the time or always” when there was an enumerated policy at their school, versus only 14% of teachers when there was no enumerated policy (and only 8% when there was no anti-bullying policy at all). Additionally, when these policies are clearly communicated in print and to staff, students feel safer, hear fewer homophobic epithets, are bullied less, and are less likely to attempt suicide [28]. Therefore, widespread, comprehensive policies on sexual misconduct in secondary schools could have the ability to change norms for staff and students.

How students perceive their school (e.g., whether they believe the school takes sexual misconduct seriously, will treat victims with respect, and will appropriately punish perpetrators) can shape both the prevalence of violence and the likelihood of victims reporting their experiences to school officials [29]. For policies to be effective at preventing violence, they must not only exist in enough detail and be accompanied by robust procedures for how to investigate and respond to acts of violence, but they must empower individuals in a school community to act accordingly [30]. When individuals perceive their institution to be responsive to victims and intolerant of perpetrators, they feel empowered to engage in bystander intervention [31], as well as help-seeking and reporting behaviors [32].

1.4 | The Current Study

Policies, including federal policies such as Title IX, significantly influence cultural norms and responses to sexual misconduct. Although policy and research often focus on more widely recognized forms of violence such as physical sexual assault, behaviors such as sexual harassment and online sexual misconduct that disrupt students’ experiences at school also constitute sexual misconduct. Although scholars have looked at the existence and comprehensiveness of college sexual misconduct policies, few have examined such policies in secondary schools. Currently, the extent to which sexual harassment and online sexual misconduct are included in secondary school policies is unclear. In response to this gap, we aimed to answer the following questions using a mixed method analysis of Michigan secondary school policies:

1. How common is it to have policies that clearly state that sexual harassment (in addition to physical sexual assault) constitutes sexual misconduct?
2. How common is it for secondary school policies to include acts of online sexual misconduct?
3. How common is it for secondary school policies to include procedural details for staff and student reporting? And clear perpetrator consequences for violations?
4. How are the above features commonly phrased in these policies?

2 | Methods

2.1 | Sexual Misconduct Policy Sampling and Analysis Procedure

2.1.1 | Sample of Policies

Our internal review board did not require ethics approval as this is a study of policy documents. The state of Michigan is comprised of 699 school districts across 83 counties. We divided a list of all school districts among six undergraduate research assistants who accessed policies by searching on school district website search bars. They searched for specific sexual harassment policies, as well as broader sexual misconduct policies and more comprehensive codes of conduct. First, they searched for policies specific to sexual harassment by entering “sexual harassment” into search

bars. The research team noted whether the district maintained a policy specific to sexual harassment. Next, the research team broadened their search to any policy document that may contain information on sexual misconduct, such as a student handbook or code of conduct policy by searching terms “sexual misconduct”, “student handbook”, “sexual misconduct policy”, “policy handbook”, “code of conduct”, “internet safety policy”. In some instances, searches resulted in multiple policy documents (e.g., different handbooks for high school and middle school, separate online safety policies), in these cases, we analyzed all policy documents for in-person and online sexual misconduct. The research team downloaded and retained all accessed policies for coding purposes.

We aimed to collect a representative sample of policies from public school districts (i.e., excluding charter and private school districts) that provided coverage across each region of the state of Michigan in order to capture rural, metropolitan, and suburban schools. The state of Michigan’s department of development is broken up into 10 economic regions. Within those regions, there are 83 counties that break down further into rural ($n = 32$ counties, 39%), metropolitan ($n = 30$ counties, 36%), and suburban ($n = 21$ counties, 25%). Overall, we accessed sexual misconduct policies from 361 secondary school districts within 67.5% of counties ($n = 56$). Our analytic sample included schools from all 10 regions and represents rural ($n = 21$ counties, 37%), metropolitan ($n = 21$ counties, 38%), and suburban counties ($n = 14$ counties, 25%).

2.1.2 | Qualitative Analysis of Policies

We utilized a mixed method content analysis approach [33] in tandem with an augmented content analysis design previously used to describe sexual harassment policies in a southern state [22] to include assessment of policies related to sexual misconduct in online contexts (e.g., nonconsensual sexting, online sexual harassment). The research team developed an initial coding plan to detail what is included in definitions of sexual misconduct and how comprehensively (i.e., includes a range of online and offline sexual misconduct, including reporting and disciplinary procedures) such policy content addresses action steps taken when sexual misconduct occurs within online and in-person spaces. We then trialed our initial plan with a subsample of school districts ($n = 50$), with guided piloting with undergraduate research assistants who discussed feedback and suggestions for improvement. We then did another round of refinement with another subsample of school districts ($n = 100$).

The final content analysis scheme for analyzing our full sample of sexual misconduct policies ($N = 361$) involved (1) assessing for policy content related to in-person sexual misconduct, including assessing the comprehensiveness of policies in defining sexual harassment, outlining reporting procedures, and stating consequences of sexual harassment, and (2) assessing for the presence of policy content related to online sexual misconduct and consequences of online sexual misconduct. A team of graduate ($n = 3$) and undergraduate research assistants ($n = 9$) engaged in this content analysis process, utilizing Qualtrics software to enter policy information for each school district.

2.1.3 | Quantitative Analysis of In-Person Sexual Misconduct

We coded all resulting policy documents for references to in-person sexual misconduct. First, coders assessed whether the policy defined sexual harassment and did so distinctly from general misbehavior. Next, coders assessed if sexual harassment perpetrated by a faculty member was outlined separately from harassment perpetrated by a student. Finally, coders assessed whether reporting procedures and consequences for sexual harassment specifically were defined, or if they were defined within consequences for general misbehavior, or undefined. Coders also retained verbatim policy information on consequences of in-person sexual harassment for further qualitative analysis.

2.1.4 | Quantitative Analysis of Online Sexual Misconduct

Following assessment of policy content related to in-person sexual misconduct, coders assessed for policy related to online sexual misconduct. For the purposes of this research, we were interested in whether districts had developed any policy related to online sexual misconduct such as accessing pornography at school, coercive sexting, online sexual harassment, sending nude images or videos of oneself, sharing nude images or videos of others, revenge pornography, online slut shaming, and cyber stalking. Coders first reviewed any policy sections on cyberbullying specifically. Coders listed any specific topics or terms related to online sexual misconduct that were included in the cyberbullying policy. Coders then reviewed all other policy documents (e.g., codes of conduct) for any mentions of forms of online sexual misconduct and were instructed to search for terms such as “sexual”, “online”, “nude”, “photos”, “electronic”, “pictures”, “images”, “graphic”, “pornographic”, “smartphone”. Coders noted whether any forms of online sexual misconduct were mentioned and listed terms included in the policy. Finally, if a policy discussed online sexual misconduct, coders retained the specific policy language related to online sexual misconduct consequences for further qualitative analysis.

2.1.5 | Qualitative Coding of Sexual Misconduct Consequences

We were also interested in how schools addressed possible consequences for sexual misconduct, including online misconduct. Therefore, any description of consequences of both in-person and online sexual misconduct was retained verbatim for qualitative analysis. To analyze this data, we engaged in an iterative qualitative coding process similar to our quantitative coding process. We began with open coding of 20 school districts’ policies selected at random from the full sample of 361 district policies. Two members of the research team read and re-read each portion of retained verbatim policy on both in-person and online sexual misconduct consequences while engaging in memo-ing, noting any common consequences across the 20 policies. This led to the development of an initial codebook. Next, the larger research team met to discuss these initial codes and finalize the codebook. With the final codebook developed, we selected an additional

TABLE 1 | Codes for in-person and online sexual misconduct consequences.

Codes for consequences of in-person	Codes for consequences of online
Sexual misconduct	Sexual misconduct
Removal of student perpetrator	Removal of device
Removal of staff perpetrator	Removal of privileges/internet
Notifying parents/guardians	Removal of student
Investigation/hearing	Notifying parents/guardians
Involvement of law enforcement	Investigation/hearing
Referring to laws	Involvement of law enforcement
Consequences for false allegations	Referring to laws
Consequences for repeated offenses	Undefined “disciplinary action”
Undefined “disciplinary action”	No specific consequences provided
Consequences for retaliation	
Taking harassment “seriously”	
No specific consequences provided	

100 school districts’ policies to be coded. Two teams (comprised of two independent coders) coded each policy for information on consequences using the finalized codebook (Table 1). Multiple codes could be assigned to each set of consequences. Each code was reviewed for agreement. When there were disagreements, team members met to discuss to reach consensus on code assignments.

3 | Findings

3.1 | Sexual Misconduct Policy Comprehensiveness

Regarding in-person sexual misconduct, coders assessed for (a) existence of a student handbook or code of conduct specific to sexual harassment, (b) whether and how sexual harassment was defined within any policy documents, (c) whether distinctions were made regarding student perpetrators versus staff perpetrators, and (d) if reporting procedures and consequences of sexual harassment were outlined. Tables 2 and 3 contain information on proportions of policies which contained the above information. Only around 15% of districts maintained a separate code of conduct specific to sexual harassment, with the majority of districts only including information on policy related to sexual misconduct within broader student handbooks or codes of conduct.

TABLE 2 | Number and proportion of districts with policy related to aspects of sexual misconduct.

	No N (%)	Yes N (%)
Does searching yield a code of conduct specific to sexual harassment?	308 (84.8)	53 (14.7)
Is sexual harassment defined?	69 (19.1)	292 (80.9)
Is the definition of sexual harassment only included as another form of misbehavior instead of receiving its own section of explanation? ^a	108 (31)	240 (69)
Does the handbook distinguish between sexual harassment between students and sexual harassment between students and staff?	257 (71.2)	104 (28.8)
Does the cyberbullying policy contain any information referring to online sexual misconduct?	310 (85.9)	51 (14.1)
Is any form of online sexual misconduct mentioned in policy or handbook?	126 (34.9)	235 (65.1)

^aThirteen districts were dropped from this analysis due to incongruent coding (e.g., low inter-rater reliability).

Although most districts (80.9%) provided a definition of sexual harassment, definitions were not always within a section specific to sexual misconduct. Approximately one-third of districts lumped the definition of sexual harassment in with discussion of general misbehavior. It was also rare for policies to distinguish between sexual misconduct perpetrated by a faculty member rather than a student, with nearly three in four districts failing to make this distinction.

The majority of districts’ policies included information on procedures for reporting sexual harassment; around 25% of districts defined reporting procedures applicable to general misbehavior or misconduct (of which sexual misconduct was included within), and approximately 40% of districts policies contained reporting procedures specific to sexual harassment. A similar pattern emerged for policy information on consequences of sexual misconduct. One third of districts had policies that outlined consequences for general misbehavior that also applied to sexual misconduct (because sexual misconduct was included as an aspect of general misbehavior), and 40% of districts outlined consequences that were specific to sexual harassment. Coding of consequences of in-person sexual harassment among 100 randomly selected districts revealed that the most common consequences identified in policies were removal of a student perpetrator (e.g., suspension, expulsion; discussed in 70% of policies) and involvement of

TABLE 3 | Number and proportion of districts with procedural and consequential details in policies.

	No <i>N</i> (%)	Yes and is applied to all misbehavior or general misbehavior <i>N</i> (%)	Yes and is specific to sexual harassment <i>N</i> (%)
Is a procedure for reporting sexual harassment defined?	131 (36.3)	90 (24.9)	140 (38.8)
Are the consequences of sexual harassment clearly stated?	96 (26.6)	120 (33.2)	145 (40.2)

TABLE 4 | Frequencies of codes for in-person sexual harassment consequences among selected districts (*n* = 100).

Code	<i>N</i>
Removal of student perpetrator	70
Involvement of law enforcement	27
No specific consequences provided	22
Removal of staff perpetrator	17
Notifying parents/guardians	15
Investigation/hearing	14
Undefined “disciplinary action”	11
Referring to laws	5
Consequences for repeated offenses	5
Consequences for retaliation	2
Consequences for false allegations	1
Taking harassment “seriously”	1

law enforcement (discussed in 27% of policies), whereas 22% of districts did not list any specific consequences of in-person sexual misconduct (see Table 4).

Regarding online sexual misconduct, coders assessed whether districts’ cyberbullying policies contained information about online sexual harassment, as well as whether any policy documents contained information about procedures for reporting online sexual misconduct. Only 14.1% of districts included information on online sexual misconduct within their cyberbullying policies. Searching for mentions of online sexual misconduct across any policy documents revealed that approximately one third (*N* = 129, 35.73%) of districts did not include any discussion of online sexual misconduct. Of the 232 (64.27%) district policies that did contain reference to some form of online sexual misconduct, coders recorded terms related to online sexual misconduct that appeared in policies (see Table 5). The most frequently mentioned terms related to online sexual misconduct mentioned in policies were pornography, sexting, and child pornography. Coding of consequences of online sexual misconduct among

TABLE 5 | Frequency of policies containing terms related to online sexual misconduct (*n* = 232).

Term	<i>n</i> (%)
Pornography/porn/pornographic images/sexually suggestive photos	182 (50.4)
Sexting	128 (35.5)
Child pornography	14 (3.9)
Sexually explicit materials	7 (1.9)
Online harassment/internet harassment	5 (1.4)
Nude/nudity	5 (1.4)
Cyberbullying/cyberstalking	4 (1.1)
Inappropriate pictures/messages/material	4 (1.1)

Note: Because policies could contain multiple terms, frequencies total greater than *N*, and percentages total greater than 100.

TABLE 6 | Frequencies of codes for online sexual harassment consequences for among selected districts (*n* = 100).

Code	<i>N</i>
No specific consequences provided	48
Undefined “disciplinary action”	28
Removal of student	23
Involvement of law enforcement	20
Removal of privileges/Internet	19
Removal of device	13
Notifying parents/guardians	8
Investigation/hearing	3
Referring to laws	2

100 randomly selected districts revealed that the most common consequences were removal of a student perpetrator (e.g., suspension, expulsion), removal of device (i.e., smartphone, tablet, laptop), and revocation of internet privileges, while nearly half of districts did not list any consequences of online sexual misconduct or simply lumped potential consequences with general misbehavior (see Table 6).

4 | Discussion

Given the increased attention to policies addressing sexual misconduct on college campuses and adolescents’ time spent on mobile devices at school, we examined sexual misconduct policies in secondary schools for their inclusion of both in-person and online sexual misconduct. Our mixed-method analysis demonstrates that the majority of schools included policy information about in-person sexual misconduct, yet reporting procedures and consequences of engaging in misconduct were not always clear. Approximately four in 10 secondary school policies included information on reporting and consequences that were specific to sexual harassment, and the majority of policies included either no reporting and consequence information or lumped reporting and consequences of sexual harassment into policy regarding general misbehavior. Across secondary school policies, we found

very little mention of online sexual misconduct, and explicit policy procedures for responding to online sexual misconduct were quite rare.

We found that it was relatively more common for policies to detail in-person sexual misconduct; however, sexual harassment specifically was most often lumped together with general misbehavior. This is consistent with a prior study of secondary schools' compliance with Title IX guidance that sexual harassment (and its consequences if perpetrated) must be explicitly stated in policy documents [22]. Unfortunately, sexual harassment is often not recognized as bullying or sexual violence; therefore, it gets tolerated more easily among public school staff who have not been trained to recognize sexual harassment as something that occurs between students [30]. School policies often define and describe bullying at length but do not explicitly include comments related to gender or sex in their definitions of bullying [22]. This is problematic because prior research has indicated that the negative impact of sexual harassment can be greater than that of general bullying for boys, girls, and LGBTQ+ youth alike [34–36].

We found that online sexual misconduct was largely missing from school policies and, when it was included, the terms varied greatly across policies, posing an issue for consistency across school districts in defining or responding to online sexual misconduct. Consistent definition of online sexual misconduct is important given adolescents' increasing use of their mobile devices during school hours [8] and secondary school administrators' confusion about their role in monitoring or providing disciplinary action for students' online experiences [30]. Although the problem of cyberbullying among adolescents garners significant attention [30, 31], policies and subsequent practices often fail to address cyberbullying that is sexual in nature [37]. This issue is made worse by the lack of consistent terms for online sexual misconduct and that policy makers are not aware of umbrella terms such as image-based sexual abuse that may provide a more uniform understanding of online sexual misconduct. This is consistent with findings of adults' naïveté in general about the nature and extent of this issue among adolescents [38, 39]. When secondary students in the United Kingdom reported on their experiences with image-based sexual abuse and how it impacts their education, they described being scared and feeling like adults “don't care” because there are no policies to ban such behavior [40]. However, when secondary school staff in the U.S. received an all-day professional development training on image-based sexual abuse, they were shown to be more confident and willing to intervene in both in-person and online sexual harassment [38]. Thus, more work should investigate how policies and training can work in tandem to improve school staff responses to image-based sexual abuse among students.

The challenges associated with our finding of a lack of definitional and procedural clarity in analyzed policies compound those associated with Title IX noncompliance. Without clearly enumerated policies, victims of sexual harassment lack an objective metric of behaviors that merits reporting to school officials and a resulting investigation. Instead, our findings suggest students may be at the mercy of a decision maker's interpretation of the “bad behavior” as a violation of student conduct more broadly. Regardless of which policy is used to address sexual harassment, the lack of procedural clarity in policy

documents may create confusion for secondary school staff as to the appropriateness of suspension/expulsion or engagement of law enforcement in response to those who perpetrate online sexual misconduct (image-based sexual abuse) specifically.

Online sexual misconduct contributes to a hostile educational environment for both the target and for peers [41, 42] and thus a school failing to respond appropriately may violate Title IX. Further, when online sexual misconduct rises to the level of a Title IX policy violation, the lack of procedural clarity in existing policies is further complicated by the criminal and legal frameworks of Title IX and its focus on due process for complainants and respondents [21]. Sparse policies neither provide direction to school staff nor ensure that responses are consistent with Title IX, thus placing schools at risk of legal and regulatory repercussions.

The lack of explicitly stated consequences for online sexual misconduct belies the reality that some online sexual misconduct acts, while illegal, are simultaneously quite common or even normative in some cases. For example, the sending and receiving of nude images is still recognized in many states as distribution and receipt of child sexual abuse material, formerly referred to as child pornography [43]. Posting or mass distribution of nude images of minors or images of adults without their consent is also an illegal act in nearly all states. However, there is growing evidence to suggest that when older teens share nude or semi-nude images consensually between two partners and those images are not distributed elsewhere, negative outcomes (e.g., psychological distress, legal issues, reputational harm) are fairly rare, and therefore consensual sharing of nude images could be considered a more normative act of sexual expression and intimacy [15]. Without clear policies on what behaviors are met with support from a counselor to suspension from an administrator, many online sexual misconduct incidences are ignored. Consequently, students continue to engage in them, contributing to social norms of tolerance.

4.1 | Limitations and Future Directions

This was the first study (to our knowledge) to code a large sample of school policies for detailed and specific information regarding in-person and online sexual misconduct in secondary schools, but it is limited in a few ways. First, we only focused on school districts from one state. Other states will likely yield different results due to a variety of reasons, including (but not limited to) different laws about bullying and sexual misconduct. Second, policies may not align with the actual behaviors of school personnel. Future research efforts should include policy implementation data to build upon this work. Third, we were not able to ascertain student or staff awareness or familiarity with policies; therefore, their usefulness is not accounted for here.

4.2 | Implications for School Health Policy, Practice, and Equity

The need for sexual misconduct policies in secondary schools goes beyond the necessity of legal compliance. When sexual misconduct (across the continuum from gender microaggressions, sexual harassment, and violent sexual assaults) occurs

in educational settings it may act broadly as “institutionalized sexual terrorism” [44]. The compounded impacts of various forms of sexual misconduct in educational settings creates a hostile environment that maintains and legitimizes behaviors across the spectrum of sexual misconduct, resulting in certain subgroups of students being in a consistent state of fear of its occurrence, similar to terrorism [44]. Therefore, protective sexual misconduct policies can act to improve an institution’s climate by empowering students and staff to act in ways that disrupt sexual violence by responding to it appropriately [45].

In accordance with empowerment theory and other frameworks on institutional climate and terrorism, as students witness appropriate responses from staff, more will intervene themselves, better support victims, and may even decide not to perpetrate themselves. A comprehensive approach to sexual misconduct policies goes beyond legal compliance, though, encompassing a range of behaviors and fostering a school environment intolerant of gender-based violence. To effectively address sexual misconduct, secondary schools could adopt explicit policies that go beyond general bullying and clearly enumerate that every form of sexual misconduct is banned.

5 | Conclusions

Aligning sexual misconduct policies with Title IX guidelines is essential, as it mandates the prohibition of sexual harassment and provides avenues for reporting and investigation. Although anti-bullying programs, practices, and policies are widespread, specific efforts that target sexual harassment specifically are often absent. The presence of enumerated policies and professional development programming has shown promise in enhancing staff confidence and willingness to intervene to curb sexual misconduct. By elucidating the key findings of our analysis, we contribute the knowledge that these policies are infrequent and incomplete. Taken together, we recommend that researchers, practitioners, and policy makers enact an ongoing dialogue to enhance the safeguarding mechanisms that protect students while empowering educators and administrators to create a culture of respect and accountability within the realm of secondary education.

Ethics Statement

Preparation of this paper did not involve primary research or data collection involving human subjects, and therefore, no institutional review board examination or approval was required.

Conflicts of Interest

The authors declare no conflicts of interest.

Data Availability Statement

The data that support the findings of this study are available from the corresponding author upon reasonable request.

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