



# The State of Dating Violence Policies in Public School Districts in PA's Lackawanna and Susquehanna Counties



Women's Resource Center

2021

## Women's Resource Center

[www.wrcnepa.org](http://www.wrcnepa.org)

Business Line: 570-346-4460

#WRCNEPA

#TeenWRC

@WRCScranton



Report Funded by the Pennsylvania Coalition Against Domestic Violence

[www.pcadv.org](http://www.pcadv.org)

*School district policies that address the intervention, response and prevention of dating violence create a foundation to promote a culture of healthy relationships.*

-Futures Without Violence

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## INTRODUCTION

The Women’s Resource Center (WRC) is the designated rape crisis center and provider of services for survivors of domestic/dating violence throughout Lackawanna and Susquehanna Counties. In 2019, after receiving approval as an Educational Improvement Tax Credit (EITC) Organization, WRC launched a primary prevention education program which was piloted in the ninth grade classes of the Scranton School District. Since then the program has expanded throughout the two counties with additional support from the local United Ways to include additional school districts, grade levels, and offerings including teacher in-service training.

This report was compiled by the WRC and funded by the Pennsylvania Coalition Against Domestic Violence (PCADV), which is committed to identifying funding for the prevention of intimate partner violence at the community and societal levels. Statewide, PCADV funded eight prevention initiatives which were implemented with a health equity lens and consistent with efforts at the community and/or societal levels of the social ecological model of public health prevention.

First, we would like to thank the school administrators for their commitment to enhancing dating violence policies in their school district. By reviewing and enhancing (or creating) policies to address dating violence, districts are taking a step toward prevention of dating violence. Sound policies foster a positive school climate, empower school staff with knowledge of how to handle a disclosure, provide students with support and guidance, and keep the district in compliance with relevant law.

**Comprehensive dating violence policies create an environment where healthy relationships are the norm, and abusive ones are simply not tolerated.**

This report looks at the state of written dating violence policies in Lackawanna and Susquehanna Counties, the two counties served by WRC. Lackawanna County Public School Districts include: Abington Heights School District, Carbondale Area School District, Dunmore School District, Lakeland School District, Mid Valley School District, North Pocono School District, Old Forge School District, Riverside School District, Scranton School District, and Valley View School District. Susquehanna County Public School Districts include: Blue Ridge School District, Elk Lake School District, Forest City Regional School District, Montrose Area School District, Mountain View School District and Susquehanna Community School District.

According to [www.census.gov](http://www.census.gov), Lackawanna County has a population of 209,674 and covers 458.8 square miles with 467 people per square mile. It is a mix of urban, suburban and rural. 20.5% of residents are under 18 years of age. Susquehanna County has a population of 40,328 and covers 823.5 square miles with 52.7 people per square mile. It is a rural county. 18.4% of residents are under 18 years of age.

*The student created images throughout the report are designed by 9<sup>th</sup> graders in the Scranton School District as part of a poster contest in the Safe Dates Program, an evidence based dating violence prevention curriculum offered at no cost to any district in Lackawanna and Susquehanna Counties and facilitated by WRC.*

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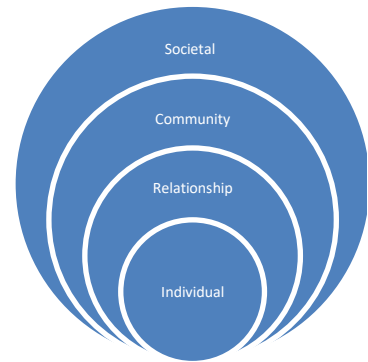
**\*\*This report does not constitute legal advice and should not be used or relied upon as such. Consult a school or school district attorney for any questions about how laws may intersect with district policies to address dating violence.**

# THE WOMEN'S RESOURCE CENTER & PREVENTION

The Women's Resource Center (WRC) provides comprehensive services for adult and adolescent victims/survivors of domestic violence, sexual assault, dating violence human trafficking and stalking in Lackawanna and Susquehanna Counties. WRC's mission is to end domestic and sexual violence through advocacy, education and social change. Services are free and confidential and available in English and Spanish with other languages available if necessary. WRC's services include a 24-hour confidential crisis hotline, crisis counseling, emergency shelter, safe housing, legal services, support services, economic advocacy, medical advocacy, community education and prevention education.

As part of its prevention work, WRC offers evidence based dating violence prevention curriculum to middle and high school students. In addition, WRC provides training programs for school professionals on self care, trauma informed schools, and teen dating violence. WRC's prevention team seeks to empower youth and adults to change attitudes, beliefs, and norms as well as to develop skills to identify and promote healthy relationships.

The Centers for Disease Control and Prevention uses a four-level social-ecological model to better understand and prevent violence. The four levels include Individual, Relationship, Community and Society. This model of prevention utilizes strategies to address the factors that protect people from, or put them at risk for, experiencing or perpetrating violence.<sup>1</sup>



Addressing school district policies falls under the Societal level, and enhances WRC's prevention work across the other levels, including: Individual (counseling and support), Relationship (Healthy Relationship Programs for youth) and Community (Trainings for School Professionals). **Research shows that dating abuse compromises student safety and academic achievement, and that school district policies are key to preventing abuse on school campuses<sup>2</sup>.**

**Did you know?**

WRC employs full-time Counselor Advocates in its Lackawanna and Susquehanna County offices to work with teen and young adult victims of dating violence, sexual assault, domestic violence, and stalking.

24 hour confidential hotlines  
Lackawanna County: 570-346-4671  
Susquehanna County: 570-278-1800



## DATA COLLECTION PROCESS

WRC gathered information for this report in a number of ways.

WRC utilized existing research by nationally recognized organizations: Futures Without Violence, Break the Cycle, Office on Violence Against Women, White House Task Force to Protect Students from Sexual Assault, Start Strong, and the National Conference of State Legislatures. Additionally WRC reviewed the Pennsylvania Department of Education’s recommendations. Based on this research, WRC created a “Recommended Elements” chart, including elements that every source of research utilized recommended.

WRC interviewed key people statewide and locally. Staff at Pennsylvania Coalition Against Domestic Violence (PCADV) and Pennsylvania Coalition Against Rape (PCAR) kindly lent us their time to discuss these issues on a statewide level. Three school principals also kindly lent us their time and insight. The interview questions for administrators were created by WRC and reviewed by evaluators at PCADV.

Individual district policies in the two counties were all found online (if a policy existed) through the district websites. An in-house created survey, “Down to Basics”, was used to collect basic information on each district policy as related to the “Recommended Elements” chart.

Finally WRC created a “District Scorecard” for each individual district. A summary of the scorecards is included in this report. Each district received their individual results. This informed recommendations for the two counties as a whole and for each district.

## TERMS USED IN THIS REPORT

Victim and Survivor are sometimes used interchangeably. For some people, each word holds a particular meaning. For this reason we have tried to use “victim/survivor” throughout, but may say “victim” or “survivor” or “student survivor” in a quote.

Please see Definitions/Glossary in the Appendix for more definitions from the PA Department of Education as well as various national resources.

## TEEN DATING VIOLENCE OVERVIEW

Teen dating violence is a pattern of abusive behaviors, perpetrated by one person in a relationship in order to gain power and maintain control over their partner. Over time, the violence usually increases in severity and frequency.<sup>3</sup> It has a tremendous impact on everyone--the survivor, their families, significant others, and their community.

Dating violence perpetrators and victims/survivors can be anyone, regardless of age, gender, race, ethnicity, religion, geography, ability, appearance, gender identity, sexual orientation, or socio-economic status. There is no "typical" victim/survivor. Every relationship differs, but what is most common within all abusive relationships is the tactics used by abusers to gain and maintain power and control over the victim/survivor.

Abuse comes in many forms, and can be difficult to detect. Dating Violence includes various types of behavior including the threat of any of these behaviors.<sup>3</sup> Some abusers will utilize multiple tactics.

**Physical violence** is when a person hurts or tries to hurt a partner by using physical force. Examples include hitting, kicking, biting, use of weapons, threatening harm to themselves or others.

**Sexual violence** is forcing or attempting to force a partner to take part in a sex act, sexual touching, or a non-physical sexual event when the partner does not or cannot freely consent. A person may use force, threats, manipulation, or coercion to commit sexual violence. Examples include sexting, sexual harassment, rape, sexual assault.

*People abuse their partners for power and control over the way their partner feels, acts, and thinks. The cumulative impact of these actions can have a profound impact on future wellbeing and potential for success.*

**Verbal or Emotional abuse** is the use of verbal and non-verbal communication with the intent to harm another person mentally or emotionally and/or exert control over another person. This is also sometimes referred to as psychological abuse. Examples include insults, isolation, gas lighting, intimidation, humiliation, starting rumors.

**Stalking** is a pattern of repeated, unwanted attention and contact by a partner that causes fear or concern for one's own safety or the safety of someone close to the victim/survivor. Examples include following, tracking someone's devices, cyber stalking, frequent calls/texts/messages.

**Economic abuse** is a deliberate pattern of control in which individuals interfere with their partner's ability to acquire, use, and maintain economic resources. The most common forms of financial abuse are academic, career and employment sabotage; financial control; exploitation of resources. Examples include demanding gifts or money, interfering with or causing trouble at someone's work, or criticizing someone for how they spend their money.

**Technology abuse** is the use of technology like social media, email, and text messages to harm or control another person. Examples include tampering with a partner's social media account without their permission, pressuring to send sexually explicit photos, stalking or tracking using technology, sending degrading messages, embarrassing or humiliating someone publicly. Technology abuse rarely happens in isolation and is usually a red flag of other types of abuse.



Abigail W, 9<sup>th</sup> grade Scranton School District



Young people are at enormous risk for interpersonal violence. Teen dating violence is more common than many people think, with millions of teens affected in the U.S. each year. Some of these numbers may be even higher, since many cases go unreported.

The burden of dating violence is not shared equally across all groups—sexual minority groups and some racial/ethnic minority groups are disproportionately affected by many types of violence.<sup>3</sup> Oppression in all of its forms is among the root causes of dating and sexual violence.<sup>4</sup>

- 1 in 3 adolescents in the U.S. is a victim of physical, sexual, emotional or verbal abuse from a dating partner, a figure that far exceeds rates of other types of youth violence.<sup>5</sup>
- 26% of women and 15% of men who were victims of contact sexual violence, physical violence, and/or stalking by an intimate partner in their lifetime first experienced these or other forms of violence by that partner before age 18.<sup>3</sup>
- Approximately 1 in 11 female and 1 in 15 male high school students report having experienced physical dating violence in the last year.<sup>3</sup>

- About 1 in 9 female and 1 in 36 male high school students report having experienced sexual dating violence in the last year.<sup>3</sup>
- Four of every five 13 to 14 year-olds are personally concerned about sexual violence or other physical violence in relationships.<sup>6</sup>
- One in three teens knows a peer who has been physically hurt by a dating partner.<sup>6</sup>

According to the 2019 Pennsylvania Youth Survey (PAYS), 21% of youth in PA in grades 6-12 experienced inappropriate sexual contact through technology compared with 17.8% of youth in Lackawanna County and 22.9% of youth in Susquehanna County.<sup>7</sup>

Among students who went out with someone during the 12 months before the survey:

6.1% of youth in PA (9.9% of females and 2.3% of males) experienced sexual dating violence, being forced to do sexual things they did not want to do (such as kissing, touching, or being physically forced to have sexual intercourse) by someone they were dating or going out with, one or more times.<sup>7</sup>

7.6% of youth in PA (8.5% of females and 6.6% of males) experienced physical dating violence, being physically hurt on purpose (such as being hit, slammed into something, or injured with an object or weapon) by someone they were dating or going out with, one or more times.<sup>7</sup>



## Signs of Teen Dating Violence

Warning signs someone may be perpetrating dating violence:

- Increased mood swings and irritability
- Isolating and/or preventing a dating partner from spending time with others
- Threats of violence and/or abuse
- Yelling and screaming
- Monitoring a partner's email, texts, and call logs
- Forced sexual activity
- Pressuring a partner into behavior they're not comfortable with
- Calling a partner names and/or degrading them
- Bouts of violent/frightening behavior
- Frequent phone calls or texts
- Threatens to harm or kill partner, themselves, pet(s) or family members
- Blames partner for the abusive behavior; does not take responsibility for actions
- Prevents partner from enjoying hobbies and other activities

Warning signs that someone may be being victimized by a dating partner:

- Changes in appearance, clothing, hairstyle
- Seeming fearful around their partner or at the mention of the partner
- Problems with school attendance, particularly if this is a new problem
- Lack of interest in former extracurricular activities
- Sudden request for a change in schedule
- Unexplained changes in behavior, grades, or quality of schoolwork
- Isolation from former friends or family members
- Little social contact with anyone but the dating partner
- Unexplained bruises or injuries, unexplained or sudden illnesses
- New disciplinary problems at school, such as bullying other students or acting out
- Inability to concentrate
- Changes in demeanor including being more passive or withdrawn
- Self-harming behaviors such as cutting
- Checking in constantly/texts and sends photos to prove where they are to their partner
- Makes excuses or apologizes for their partner's behavior
- Name-calling or belittling from a partner/ their partner puts them down in front of other people
- Constant worry about making their partner angry
- Makes excuses for partner's behavior
- Their partner is extremely jealous or possessive
- Depressed or anxious



Erileidi F, 9<sup>th</sup> grade Scranton School District

## Short and Long Term Effects of Dating Violence

Teen dating violence is a major public health problem in our society—consequences can include damaged self esteem, poor school performance, and limited growth potential. Dating violence can put young people at risk for serious long-term health consequences.<sup>3</sup>

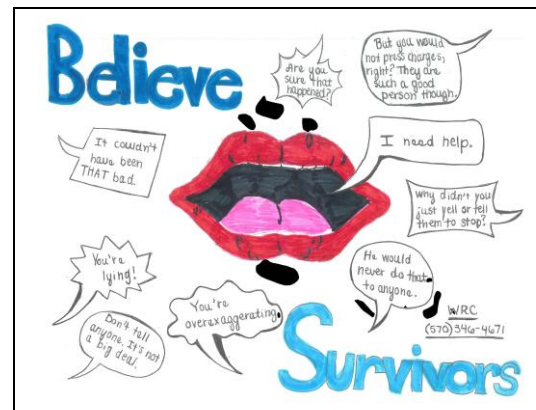
Research has shown that teens who experience dating violence are more likely to engage in substance use and abuse (drugs, smoking, drinking), eating disorders, self harming behaviors, and anti-social behaviors like lying, stealing, bullying, and truancy.<sup>3, 6, 8</sup>

Additionally, teens who experience dating violence are more likely to experience anxiety and depression, suicidal thoughts, teen pregnancy, and chronic health problems.<sup>3, 8</sup>

Violence in an adolescent relationship sets the stage for problems in future relationships, including intimate partner violence and sexual violence perpetration and/or victimization throughout life.<sup>3</sup> For example, youth who are victim/survivors of dating violence in high school are at higher risk for victimization during college.



Lisveth D, 9<sup>th</sup> grade Scranton School District



Amelia K, 9<sup>th</sup> grade Scranton School District

## Seeking Help/Disclosing Abuse

Many teens do not tell anyone about their experience with physical, sexual or emotional abuse. This may be especially true for victim/survivors who identify as male, LGBTQ+, or are members of a minority in the school. Abusers are skilled at using power and control over their victims, which can make leaving the situation, or seeking help, difficult and dangerous.<sup>5</sup>

Teens face a variety of obstacles to asking for help with an abusive relationship, including:

- Social consequences/peer pressure
- Relationship with/expectations from parents/guardians
- Embarrassment
- Fear of losing independence
- Distrust of adults or authority
- Desire to stay in the relationship
- Protecting the abuser
- Reliance on the abuser
- Fear for their own safety or that of family, friends or pets
- Language barrier/immigration status
- Concern that no one will believe them
- Pregnancy/parenting
- Cultural/Religious Reasons
- Fear of being “outed” as LGBTQ+
- Believe abuse is normal

## Teen Dating Violence and Schools

A student's experience of dating violence impacts not only that student, but also the student's family, classmates and entire community.<sup>2,6</sup> For example, dating violence has a particularly damaging effect on the safety and security of schools and of young people while they are at school. In a study about dating violence in teens ages 13 through 18, **42% of boys and 43% of girls that reported abuse said that the incidents of abuse took place either in school building or on school grounds.**<sup>8</sup>

Relationship violence is inextricably linked to other school health and safety issues. Teen victims/survivors of violence report higher rates of truancy, more negative contact with their teachers, and increased conflict with other students. This threatens the safety not only of teen victims/survivors of dating violence, but of every student and staff member in the school.<sup>2,6</sup>

Despite this relationship, school resources are often focused on other safety considerations, such as substance use and bullying. However, given the prevalence and impact of dating violence, **schools cannot afford to ignore or merely react to this safety concern.**<sup>6</sup> A study found that 90% of counselors reported that in the past two years, training on how to assist targeted students had not been provided to personnel in their schools.<sup>8</sup>

## Supporting the Development of Healthy Relationships

Healthy relationships include mutual respect, good communication, equality, safe boundaries and shared consent.<sup>5</sup>

Supporting the development of healthy non-violent relationships has the potential to reduce the occurrence of dating violence and prevent its harmful and long-lasting effects on individuals, other students, their families, and the communities where they live, work, and go to school. This in turn can prevent other forms of violence now and in the future.<sup>9</sup>

During the pre-teen and teen years, it is critical for youth to begin learning the skills needed to create and maintain healthy relationships. These skills include things like how to manage feelings and how to communicate in a healthy way.<sup>3</sup> This can prevent both perpetration and victimization.

School districts have the opportunity to play a significant role in responding to, intervening in and preventing incidents of relationship violence across the school community.<sup>2</sup>



Gianna C, 9<sup>th</sup> grade Scranton School District

## WHY DISTRICT DATING VIOLENCE POLICIES?

The CDC defines “policy” as a law, regulation, procedure, administrative action, incentive, mandate, standard or voluntary practice of governments and other institutions.<sup>11</sup> Policies provide a foundation for district practices and procedures.<sup>11</sup> Policies can institutionalize change since policies effect how people do their jobs, which in turn impacts school climate.<sup>12</sup>

School districts have the opportunity to impact not only individual victim/survivors of dating violence, but to **play a significant role in both responding to and preventing dating violence**<sup>2, 6, 8, 10</sup>

According to National Council of School Legislators (NCSL), policymakers can play a role in preventing teen dating violence. Since 2010, NCSL has recognized the role that state policymakers can play in preventing dating abuse, and has tracked teen dating violence state legislation. The NCSL recommends that policymakers analyze and evaluate existing state and local policies and practices to identify effective strategies to prevent teen dating violence. At least 23 states have laws that allow, urge or require school boards to develop or include curriculum on teen dating violence.<sup>13</sup>

A national expert policy work group concluded that policies and practices that recognize the full continuum of prevention, early intervention, corrective guidance, and a protocol for active intervention are required to maintain a school environment that is free of dating abuse.<sup>8</sup> In short, effective school district policies form the foundation of an intervention, prevention, and response framework.

**At the most basic level, policies guide teachers and administrators in their response to an incident of violence<sup>2</sup>. However, school district policies can also shape a school’s climate by creating a space where healthy relationships are encouraged and abusive behaviors are**

**responded to and handled in a way that supports students.**<sup>2, 6, 8, 12</sup>

Research shows that dating abuse compromises student safety and academic achievement and that school district policies are key to preventing abuse on campus. Developing policies to address abuse is a first step in creating a safer school.<sup>2</sup> Like seatbelt laws or nutrition labeling requirements for food, policies change what’s seen as normal and expected. Policy change in school districts can have that same effect on teens’ relationship behavior and on school climate more broadly.<sup>8</sup>

Because teens spend a significant portion of their lives in school, schools are uniquely positioned to respond to dating violence.<sup>6</sup> In addition to decreasing mental and physical health issues, dating violence prevention can lead to lower truancy, disciplinary actions, and violence on campus.

According to the PA Department of Education, PA school entities have an obligation to ensure the safety of their students. Therefore, it shall be the policy of the school district to maintain a school climate in which dating violence is not tolerated and to promptly address dating violence when it is reported or observed.<sup>14</sup>

Dating violence policies are often found at the high school level and focus on disciplinary and intervention responses rather than prevention. But, research and experience have shown that more effective school district policies encourage healthy relationships and promote violence prevention, while also addressing proper responses to teen dating violence incidents.<sup>6</sup> In other words, **response and prevention are happening at the same time. These work in tandem to create safer schools and positive school climates that promote healthy relationships.**

School district policies that address abuse intervention response and prevention will

create the foundation for a school to promote a culture of healthy relationships, build on strong collaborations, make a safe environment for all students and staff, and empower all students.<sup>2</sup>

*Intervention and response* includes elements addressing confidentiality, complaints, discipline, accommodations/modifications, Protection from Abuse Orders, support/resources for victim/survivor, clear consistent procedures, and training for school professionals on the policies and procedures.

*Prevention* includes elements that address social norms, create a positive school climate, and encourage the development and expectation of healthy relationships and the prevention of dating violence.

When creating or building upon existing school district policies for dating violence, there are certain foundational policy elements that should be included to ensure that all staff, students and parents/guardians have a shared understanding of the key terms in the policy, the scope of the policy, and the plan for sharing the policy.<sup>2</sup>

Most school districts will already have some elements of the listed policy recommendations that can be strengthened to better address dating violence.<sup>2</sup>

This includes enhancing elements to explicitly address issues that:

- May deter someone from reporting (confidentiality, notifying parents/guardians)
- May address safety (PFA, accommodations, confidentiality)
- Empower students to make the decisions that are best for them and their safety and well being (survivor led accommodations)
- Bear in mind the unique experiences of all students and how those experiences might impact their help-seeking behavior, their ability to trust school staff or other adults or their healing process after an experience of abuse.

A student's experience of dating violence impacts not only that student, but also the student's family, classmates and entire community. The experience of abuse and victimization may make young survivors vulnerable to engaging in delinquent or high-risk activities later in their lives, as well as further exposure to abuse. Unchecked violence and unhealthy relationships threaten not only the safety of teen survivors, but of every student and staff member in the school.<sup>2</sup>

**Ensuring that school district policies include recommended elements will lead to more student engagement, better learning opportunities and a safer work environment for employees of the school.**

**Challenges to developing comprehensive policies may exist but should not stop districts from developing one.**

According to interviews with school principals and prevention experts at PCADV and PCAR, common challenges for developing or implementing a dating violence policy:

- lack of awareness/prioritization of dating violence and its impact
- competing community interests and funding needs
- time commitment by districts for implementation, dissemination, training, review and evaluation of policies
- the mentality that “this doesn’t happen here”
- gender norms and stereotypes exist across the school community
- districts may think they are doing something because they checked all required boxes

## 5 Key Reasons for Comprehensive School District Policies on Dating Violence

### 1. Students learn best if they feel safe.

Incidents of dating violence on campus not only violate the right of the victim/survivor to enjoy a safe and meaningful education, but also violate the right of every student to a safe school environment.<sup>6</sup> Dating violence policies are a step in creating a safe environment for all students and staff.<sup>8,12</sup> They may reassure families, students, and school staff that safety and health protection measures are in place<sup>8,10</sup> and are a priority for the district.<sup>14</sup>

### 2. Teachers and other school professionals are empowered with resources and clear guidelines.

Dating violence policies ensure that everyone in the school district (teachers, staff, administrators, students, parents/guardians, and the school board) know what the next step should be if a report of dating violence is made. At the very least, they will know who to contact for guidance.<sup>11</sup> Policies have been shown to increase awareness and responsiveness<sup>8,12</sup>, and the ability to sensitively intervene to support teens who are already experiencing dating violence.<sup>6,8,12</sup> Policies create systems that increase confidence among students that reporting, intervening, and telling someone are going to result in a positive outcome<sup>12</sup> and encourages students to approach school staff as a resource who can help them stay safe.<sup>8</sup>

### 3. School district policies identify school culture, norms and priorities.

Dating violence policies put the entire school community on notice that abuse is not tolerated and that students who have been abusive will be held accountable. They identify healthy relationships as the norm and part of the culture and climate of the district.<sup>2,6</sup> Abusive and disrespectful behaviors will then stand out to adults and students<sup>12</sup> as outside of typical/appropriate

behavior. Policies name dating violence as a school district priority, provide a foundation for allocating time and resources, and codifies a school district's commitment to responding to and preventing this issue.<sup>8,12</sup> Policies institutionalize procedures, accountability, consequences, safety, standards, expectations, and culture<sup>12</sup> thus ensuring staying power and long-term impact even with future changes in budget, priorities and personnel.<sup>8</sup>

### 4. School district policies are a key component of effective dating abuse prevention.

Dating violence policies increase not just responsiveness but also awareness and prevention.<sup>2,6,8,12,14</sup> Policies can engage school personnel, students, and parents in becoming an integral part of a coordinated school and community approach to building healthy adolescent relationships and preventing teen dating violence before it starts.<sup>2,6,8,14</sup> Policies that encourage prevention and early intervention can potentially decrease the chance that existing abuse will escalate in the future.

### 5. School district policies can help protect the district

Dating violence policies can offer some protection for the district by ensuring staff and students know their rights, responsibilities, and potential discipline in the context of dating violence within the school system.<sup>11,14</sup> Policies can help schools to monitor incidents and outcomes<sup>8</sup>, meet state and federal laws<sup>12</sup>, and can contain or prevent controversy.<sup>11</sup> Policies provide clear steps and procedures-no matter who the student is-which ensure that all school staff know how to respond to an incident of dating violence.<sup>2,6,8,10,11,12,14</sup> A policy should make clear that it does not abrogate any civil and/or criminal remedies that may otherwise be available to the victim under state or federal law.<sup>14</sup>

## Are Existing Misconduct Policies Enough?

School districts generally have policies on bullying, sexual harassment and non-discrimination. The PA Department of Education states that dating violence policies should provide additional guidance and supplement the school's harassment and nondiscrimination policies, as well as other relevant school policies.<sup>14</sup> Some types of dating violence may fall under one of these, but **a specific dating violence policy can enhance existing school policies to more fully address the continuum of abuse in students' lives and keep abuse from escalating.**<sup>12</sup>

*Sexual Misconduct Policy:* Sexual violence can be a form of dating violence, so while not all dating violence will fall under this policy, some incidents will. A separate sexual misconduct policy can provide a single, easily accessible, and user-friendly document for students, parents/guardians, employees, and others

affected by sexual misconduct to find information regarding a district's rules and procedures, including the rights of students and the obligations of the district and its employees.<sup>10</sup> Title IX has specific requirements of school districts.

*Bullying, Harassment, and Non-Discrimination Policies:* Most school districts will already have bullying, harassment, non-discrimination policies in place<sup>2, 6, 14</sup> but may not have considered how those policies may or may not address the needs of students who experience some form of dating abuse.<sup>2, 6</sup> A non-discrimination policy notifies staff, students, and parents/guardians that discriminatory behavior is not tolerated or practiced by the school district. Non-discrimination policies help to create an equitable school community by setting standards of behavior for staff and students to follow.<sup>2, 6</sup>



Jennifer V, 9<sup>th</sup> grade Scranton School District



# BREAKDOWN OF RECOMMENDED ELEMENTS

The PA Department of Education Recommended School Policy addresses the intervention, response and prevention of dating violence. The purple boxes on the following pages contain the exact language of the model PA DOE dating violence policy. Also listed below is an average of how the school districts in the two counties rated on consistency with each section. Additional recommendations from national dating violence organizations, as well as an explanation of why the element is important, follows each section listed here.

The considerations outlined below are meant to prompt discussion and careful thought about dating violence policies. They do not constitute new legal obligations or legal advice. Please see References in the Appendix for citations and web links for more detailed information.

According to the PA Department of Education, district dating violence policies are recommended but not required. The following elements are recommended in the model policy:

1. Purpose and Authority
2. Definitions
3. Delegation of Responsibility
4. Guidelines
5. Notice of Policy
6. Prevention, Training and Education
7. Reference Relevant Law

## 1. Purpose and Authority

***Include the school entity's purpose and the authority for adopting the policy, such as:***

### ***1. Purpose***

The school entity strives to provide a safe, positive learning climate for students in the schools. Therefore, it shall be the policy of the school to maintain a school climate in which dating violence is not tolerated and to promptly address dating violence when it is reported or observed.

### ***2. Authority***

The school entity adopts this policy to:

1. Provide additional guidance and to supplement the school's harassment and nondiscrimination policies, as well as other relevant school policies.
2. Apply the rights of students and responsibilities of school employees in the context of dating violence within the school system.
3. Promote prevention of dating violence in the school entity.
4. Respond when there are cases of dating violence within the school entity. This policy shall not abrogate any civil and/or criminal remedies that may otherwise be available to the victim under state or federal law.

Districts in Lackawanna and Susquehanna Counties scored an average of **1.3** or **“partially consistent”** with the PA DOE policy recommendation



PURPOSE AND AUTHORITY Policy Recommendation from Pennsylvania Department of Education	0	1	2	3
	Not yet consistent	Partially consistent	Mostly consistent	Fully consistent

**Additional Information on Purpose and Authority** <sup>2, 6, 8, 10</sup>

A dating violence policy should consider the students’ rights and responsibilities, apply them in the context of dating violence, and expand student rights where necessary to afford victim/survivors of dating violence the safety they deserve.<sup>6</sup> ***Clear identification of to whom a policy applies will help individuals understand their rights and obligations.***

Districts can also reference a non-discrimination policy and a statement of the school district’s commitment to protect staff, students and others from abusive behavior.<sup>2</sup>

“Scope/Applicability” refers to identifying the persons, conduct, locations, programs, activities, and relationships covered by the

district’s policy. This should be clearly stated, even if it is the same as in other district policies.<sup>2, 6, 8, 10</sup> For example, the policy could state that it protects all students and employees, regardless of sexual orientation or gender identity. Most school districts will already have an applicability policy in place. Staff, students and others can look at an applicability policy to determine whether or not certain school district policies apply to them.<sup>2</sup>

For example, in addition to incidents of dating violence that occur between students on school grounds which directly impact these two student rights, students may experience abuse that occurs off school grounds or at the hands of non-students.<sup>6</sup>

**2. Definitions**

**Contain definitions of key terms.**

See Appendix for list of definitions recommended by the PA DOE model policy.

Districts in Lackawanna and Susquehanna Counties scored an average of **2.2** or **“mostly consistent”** with the PA DOE policy recommendation



DEFINITIONS OF KEY TERMS Policy Recommendation from Pennsylvania Department of Education	0	1	2	3
	Not yet consistent	Partially consistent	Mostly consistent	Fully consistent

## Additional Information on Definitions of Key Terms <sup>2, 6, 8, 10</sup>

Defining key terms helps all readers understand the meaning and scope of policies. It can also guide those responsible for creating procedures or enforcing policies to ensure they are all on the same page. This ensures that all users of the policy are applying the same definitions; which is especially important since some terms used

have different meanings in different contexts or have multiple definitions used by different communities.<sup>2</sup> The definitions section of a school district’s policies should list and define *all* key terms used within the policy. The more definitions included, the clearer the policy is to all involved.

### 3. Delegation of Responsibility

#### Delegation of Responsibility

A school entity may consider establishing a Dating Violence Response Team (DVRT) in a policy. If a team is established, the policy should include specifics as to the membership, training requirements and responsibilities of DVRT members, such as:


The school will maintain a Dating Violence Response Team (DVRT) that shall be responsible for receiving complaints and responding in accordance with this policy.

The school will designate one (1) or more school employees to be members of the DVRT.

If a student notifies a school employee who is not a member of the DVRT of the dating violence, that school employee should immediately notify a designated member of the DVRT. In that regard, school employees will be aware of the proper protocol, including contact information for the designated DVRT member, to follow in order to respond to incidents of dating violence between students on school property, at any school-sponsored activity, or on any public vehicle providing transportation to or from a school or school-sponsored activity.

The Chief School Administrator or a designee shall develop administrative regulations regarding protocols for investigating complaints of dating violence.

Districts in Lackawanna and Susquehanna Counties scored an average of **1.4** or **“partially consistent”** with the PA DOE policy recommendation



DELEGATION OF RESPONSIBILITY Policy Recommendation from Pennsylvania Department of Education	0	1	2	3
	Not yet consistent	Partially consistent	Mostly consistent	Fully consistent

## Additional Information on Delegation of Responsibility<sup>2, 6, 8, 10</sup>

Identifying the appointed individual(s) who will be responsible for collecting information, keeping documents confidential and supporting students is critical for empowering victim/survivors to come forward and for staff to know where to turn. It also assigns responsibility so that person(s) responsible can stay on top of training on issues related to dating violence.

Ideally a Dating Violence Response Team (DVRT) would be developed. This provides a broad spectrum of individuals to whom a student can report abuse (instead of just to the principal, counselor, or one specific teacher).<sup>2</sup> This will maximize the chance that students have the opportunity to disclose to someone with whom they feel safe, and takes into account that school employees may, for example, change roles, leave the district, be on vacation. Having a DVRT ensures that someone is always available to assist a student in an empowering way. Two high school principals that WRC interviewed said that while the district policy lists one or two individuals, they actually have an informal team. Other districts may also have an informal team, but keep in mind that the research indicates that a designated team with specific roles is preferred. A clear policy helps staff know what next steps are if a student discloses to them. Many students who are experiencing dating violence will turn to the school employee with whom they feel closest,

rather than the one whose job description gives them this responsibility. For this reason, a policy should implement a standard procedure to be used by all school employees, including giving school employees the option of referring a student to the designated individual if they feel they cannot provide sufficient support.<sup>6</sup> It may be very difficult for many reasons for a student to come forward, so it is critical for staff to understand the response protocol so that the student is not deterred from getting help, or passed from person to person while seeking help. Research has shown that how the first person someone discloses to responds determines if the victim/survivor will continue to get help and find safety.

Ideally the designated individual(s) will be specially trained on dating violence through a comprehensive training, preferably given by a local organization whose mission is to address dating and/or sexual violence.

The standard procedures represent the minimum that must be done for victim/survivors of dating violence. Because many students will have additional needs that cannot be met by the district, the district can build relationships with community organizations that focus on dating violence and sexual abuse. School employees should be able to help connect students to resources in the community and guide students through the process of obtaining services.

## 4. Guidelines

A policy should include directions and procedures for the submission of a complaint and the investigation of complaints, such as:

### Complaint Form

The complaint form shall be made available to all students. The DVRT member who is notified of the dating violence incident may offer the student assistance in completing the complaint form. The DVRT member shall file completed complaint forms in a secure location in the school and district administrative offices.

### Investigation

Once a complaint has been referred, the DVRT shall initiate an investigation. The investigation shall be conducted in a manner that is designed to maintain confidentiality to the extent allowed by state and federal law and with a full and fair investigation.

If the DVRT determines that abusive behavior has occurred on school property, at any school-sponsored activity, or on any public vehicle providing transportation to or from a school or school-sponsored activity, the DVRT shall make recommendations for a prompt and effective response, which may include disciplinary action for the alleged perpetrator if s/he is a student and modifications for the victim/student that are reasonably intended to ensure the victim's safety.

Recommendations in response to a determination that the abusive behavior has occurred should minimize the burden on the victim, and thus should not, as a matter of course, remove the victim from classes or prompt a change in the victim's class schedule while allowing the perpetrator's class schedule to remain intact.

If the dating violence did not occur on school property, at any school-sponsored activity, or on any public vehicle providing transportation to or from a school or school-sponsored activity, the DVRT may still provide modifications to the victim that are reasonably intended to ensure the victim's safety.

### Documentation

Because of safety concerns, the district shall maintain a system for documenting each complaint and investigation of dating violence. The district shall maintain a complete file for each case of dating violence and shall preserve the case file consistent with district record retention policies.

The file shall contain written documentation of actions taken by a DVRT member on behalf of a student experiencing dating violence. School employees acting with regard to a dating violence incident shall document the action in writing and provide the documentation to the DVRT.

The DVRT's files shall be kept in a secure, locked filing cabinet under the control of the:

- { } chief school administrator;
- { } building principal;
- { } guidance counselor; or
- { } his/her designee.

In order to protect the safety and confidentiality of the victim and to comply with state and federal law, access to the DVRT files shall be consistent with the school's confidentiality policy pertaining to the protection of student records.

In addition to state law, the Federal Family Educational Rights and Privacy Act (FERPA) applies in order to protect the privacy of a student's educational records.

### Confidentiality of School-Related Information

Information received in confidence from a student may be revealed to the student’s parent/guardian, the building principal or other appropriate authority when the health, welfare or safety of the student or other persons is clearly in jeopardy.

*Parental Notification* –The DVRT shall encourage the victim to tell his/her parent/guardian about the dating violence and shall provide support to the victim.

*Mandatory Child Abuse Reporting* –Under no circumstances is this policy intended to abrogate the requirements related to mandatory child abuse reporting.

Protection from Abuse Orders

When a school is notified by the court, victim, parent/guardian, or otherwise provided a copy of the Protection from Abuse Order, the school, in consultation with the solicitor, will take appropriate actions to comply with the Protection from Abuse Order.

When the school entity is notified of the Protection from Abuse Order, the DVRT shall hold separate meetings with the victim/student and perpetrator/student to:


1. Review the Protection From Abuse Order, the specific prohibitions under the order and ramifications for violating the order, including juvenile court for minors and criminal consequences for anyone eighteen (18) years of age or older.
2. Clarify what the victim/student is asking of the DVRT, if anything, to keep him/her safe from the perpetrator.
3. Review the school day, classes, lunch, and activities, paying attention to potential conflicts and opportunities for face-to-face contact between the victim/student and the perpetrator/student.
4. Identify schedule overlaps, such as arrival/dismissal times, classes, lunch, activities, etc.
5. Identify a plan to include safety precautions that eliminate or substantially diminish the opportunity for the victim and the perpetrator to come into contact on school property, at any school-sponsored activity, or on any public vehicle providing transportation to or from a school or school-sponsored activity.

In meeting with the victim/student, the DVRT shall:

1. Help the victim/student identify adults within the school setting with whom s/he feels comfortable.
2. Assist the victim in developing a safety plan or refer the victim to a local domestic violence or rape crisis program.

If the school knows or reasonably should have known that the perpetrator/student violated the Protection from Abuse Order on school property, the building principal or DVRT member shall contact law enforcement.

**Districts in Lackawanna and Susquehanna Counties scored an average of 0.4 or “not yet consistent” with the PA DOE recommendation**

<p><b>GUIDELINES</b> Policy Recommendation from Pennsylvania Department of Education</p>				
	<p><b>0</b> Not yet consistent</p>	<p><b>1</b> Partially consistent</p>	<p><b>2</b> Mostly consistent</p>	<p><b>3</b> Fully consistent</p>

## Additional Information on Reporting and Responding Guidelines<sup>2, 6, 8, 10</sup>

Policies developed to support survivors of abuse should aim to empower young survivors, giving back some of the control that has been taken away from them through the abuse. Clear guidelines empower students to make the decisions best for their individual situation. School staff, parents/guardians, or community organizations can help inform and educate students on their options, and support them as they make decisions.

School district policies on abuse can go beyond responding to abusive behavior and can also encourage student growth and positive development for all involved.<sup>2</sup>

Policies should be developmentally appropriate – recognizing that young survivors may be embarrassed to talk about relationships, even non-violent ones, and that young offenders may need to be treated differently than adults who engage in abusive behavior.<sup>2</sup> Not only have student survivors experienced trauma, they are also young, which requires special considerations when responding to their needs. Policies and procedures should respond to the specific needs of young survivors and take into account their need for privacy and autonomy.

**All of the reporting and responding guidelines should be victim/survivor centered and trauma informed.**

### Documentation

Each district should have a protocol for documenting actions taken pursuant to this policy and storing those files, including a written record of requests for accommodation, final decisions, safety plans, referrals, grievances and resolutions, and any communications regarding these. In order to maintain confidentiality, it is recommended that files created pursuant to this policy be kept in a locked filing cabinet. Access to these records should be restricted to the principal and

necessary school employees. Clearly defining how records will be kept and by whom in the policy creates a sense of safety and privacy for students, which may encourage them to get help.

### Grievance

A student who is a victim/survivor has the ability to request that the school district initiate disciplinary procedures against an alleged perpetrator of dating violence or sexual violence. **Requests for disciplinary action are not accommodations but grievances, which follow a different set of procedures, because they impact another student's rights.**<sup>6</sup> Accommodations are discussed in another section.

If a school district already has a strong grievance procedure, the same grievance procedure can be used for dating violence incidents.

Although the disciplined student is the focus of the process, it is vital to ensure that the student victim/survivor is supported throughout the disciplinary process. Consider appointing a victim advocate or counselor to help the student survivor navigate the grievance process.<sup>2</sup>

When the grievance involves an incident of abuse, the employee conducting the investigation should meet with the involved students separately and should conduct the investigation in a way that minimizes the need for the survivor to retell her/his story multiple times.<sup>2</sup> **The involved students should never meet together due to the dynamics and dangers of dating violence.** The content of all meetings related to this process should be kept strictly confidential.<sup>6</sup>

Ensure that all staff members involved in the grievance process are well trained on the

dynamics of dating violence and the impacts of abuse on survivors and offenders. This includes staff who hear appeals, who may be different than those who handle the intervention and response. Staff training should also include information on how to effectively hear and decide these cases.<sup>2, 10</sup>

The grievance process should be clear and detailed. For example, explain that the school will take strong responsive action if retaliation occurs, explain the possible results of the grievance process, outline how the parties will be informed of the notice of the outcome, how the district will inform the complainant as to whether or not it found that the alleged conduct occurred, any individual remedies offered or provided to the complainant or any sanctions imposed on the perpetrator that directly relate to the complainant, and other steps the district has taken to eliminate the hostile environment, and prevent recurrence. If appeals are permitted, describe the appeals process.<sup>10</sup> The level of detail of each step allows the student to be empowered to make decisions and to be informed as much as possible so she/he can stay safe.

## Discipline

**Effective disciplinary frameworks will be survivor- and youth-centric, fair, and equitable for all students.<sup>2</sup>**

All schools are required under Title IX to have a student grievance procedure already in place for a student victim/survivor to make a complaint of sexual assault or sexual harassment.<sup>11</sup> While Title IX does not extend to all forms of dating violence, it may be useful for schools to use the same process for dating violence grievances as it uses for sexual assault or sexual harassment. Not only may this encourage a more efficient and streamlined grievance process, it may ensure that all victim/survivors of abuse are being taken seriously and are supported equally.

## Accommodations

Any student who has been a victim/survivor of dating violence or sexual violence may request accommodations from the school in order to preserve his/her access to meaningful education and safety on campus.<sup>6</sup>

**Accommodations impact school enrollment, participation, or environment of the student experiencing dating violence.** Some policies refer to this as “modifications”.

Accommodations complement standard disciplinary/grievance procedures which focus primarily on the perpetrator. Changes to an alleged perpetrator’s school enrollment, participation, or environment are made through a grievance procedure.

An accommodations policy outlines the remedies, procedures and changes that a school district offers to student survivors of abuse to protect their safety, educational opportunities and emotional well-being.<sup>2</sup> The accommodations policy and related procedures are counterparts to the school district’s disciplinary policy; however, an accommodations policy can be utilized even when the alleged offender is not a student or there is no pending disciplinary action against the offender.<sup>2</sup> Accommodating survivors of abuse creates a structure that allows survivors to request the kind of help they need to ensure their safety.

These strategies are often woven into existing disciplinary policies or grievance processes.<sup>2</sup> Many school districts are already providing accommodations to survivors informally even if they do not have a policy that guides the process.<sup>2</sup> However, developing a policy around accommodations allows for greater consistency, as well as better guidance for staff that are responsible for carrying out accommodations. **The accommodations process should be rooted in an understanding of the student’s experience of trauma and designed to minimize the burden on the survivor.<sup>2</sup>**



Effective accommodations require collaboration amongst survivors, school staff, school administrators and community partners, which benefits not only the student requesting accommodations, but any survivor that comes after her/him needing the same kind of support.

The policy should establish a request process for accommodations, what type of information must be included in the request, what qualifies a student for an accommodation, a time period by which requests will be granted or denied, as well as a process for appealing a denial. It is recommended that denials be made in writing to the requesting student and include the reason for the denial and information about the appeal process.

A threat of dating violence or sexual violence is sufficient to allow a student to request accommodation<sup>6</sup>. This is particularly relevant if the student is requesting excused absences or makeup class work as a result of missing school due to fear of violence. This inclusion is vital to prevention of violence, as well as the perception among students that they need not wait until violence escalates to seek help from the school.<sup>6</sup>

Because of the sensitive nature of the requests for accommodations and the safety concerns for the requesting student and the general student population, training is recommended for the staff responsible for administering accommodations. School District employees should be prompt in responding to requests for accommodation and passing them on to the next responsible person.<sup>6</sup>

Though a student should be able to request accommodations without being required to also file a grievance against or name the offender, a school may still need to conduct an investigation of the incident. A policy on accommodations should safely and supportively involve the student in an investigation, especially in the cases where a student does not

want to file a grievance. It is important to note that a school cannot require students to name the alleged offender, regardless of whether the offender is a student.

All requests for accommodation should be kept strictly confidential. It is the responsibility of the DVRT to notify the student's teachers when an accommodation impacts their classrooms. **At no time shall the alleged perpetrator be notified of the student's request for accommodation, nor shall the student be required to pursue a complaint against the alleged perpetrator through the school grievance process or the criminal justice system.**<sup>6</sup> Because accommodations affect the victim/survivor only and the alleged perpetrator's rights are not impacted, there is no need for the alleged perpetrator to be notified of the request or the outcome.

All accommodations should be voluntary; the student may choose to decline or rescind any accommodation at any time, should not be subject to any retribution or disciplinary action for such decision, and shall not lose the right to request and receive future accommodations.<sup>6</sup>

Most students will choose to involve their parents/guardians in the process of requesting and receiving accommodations. However, those that choose not to involve their parents/guardians usually do so for good reason, often because of safety concerns. In these situations, the school should respect a student's decision to the extent allowed by law and school policy.<sup>6</sup>

Some districts create a tiered system of accommodations with one tier of routine accommodations that are automatically granted (e.g., changes to class schedule) and one tier that requires further investigation (e.g., school transfer). Tiers can be based on need for parental involvement, amount of school resources required or some other rubric. This can ease the burden on administrators and speed up the process for students.<sup>2,6</sup>

## Confidentiality

**Confidentiality is one of the most important factors in a young person’s decision to seek help from an adult on any issue, particularly dating violence.** Students’ distrust of adults, particularly professionals, is a significant obstacle for school employees to overcome.<sup>2,6</sup>

Assuring a student that information they share about their experience of violence will be kept confidential will create an environment that encourages student disclosure and creates a space where students who need to can get help.<sup>2,6</sup> A **culture of confidentiality<sup>2,6</sup>** is created by policies that support school employees in maintaining confidentiality to the fullest extent permitted by law and other school policies. Sharing the policy with all staff and students will help build trust, and will instruct staff about how to communicate information they have gathered, observed, or learned about students.

Schools regularly keep some types of student information confidential already, including test scores, Individual Educational Plans or health information. Schools may also already be keeping information related to dating violence, sexual assault, and stalking confidential.

Although districts already have confidentiality policies in place, in order to increase trust, safety and the likelihood of disclosures, **confidentiality should be explicitly defined in a dating violence policy** including: instruction of what information will be kept confidential; list those who are covered by the policy; list those employees to whom a student or parent/guardian can disclose in confidence; explanation of what keeping something “confidential” means; exceptions when information can or must be disclosed, to whom it will be disclosed, and why; the implications of state and local mandatory reporting laws on the district’s ability to maintain a student’s or employee’s confidentiality; an explanation of

when the district may not be able to honor a request that a student’s or employee’s name not be disclosed to the alleged perpetrator or that no investigatory or disciplinary action be taken.<sup>2,6,8,10</sup>

Clearly explaining confidentiality, and limits of it, allows victim/survivors to make choices for themselves, which is important for those who have had their control taken away through dating violence. Confidentiality is also imperative because in some instances, if word spreads about a report or incident, the victim/survivor’s life could be in danger.

A dating violence policy requires school employees to **maintain confidentiality to the fullest extent permitted by law and other school policies.**<sup>6</sup> Numerous federal and state laws discuss the ways that information must be kept and shared among school personnel and community partners when providing victim services to victims/survivors of dating violence, sexual assault, and stalking. If questions arise about the intersections of these laws, please consult a local attorney or attorney who works with the school or district.<sup>2</sup>

Confidentiality should be ensured in every step of the process for both victim/survivor and alleged perpetrator. For example, school districts can consider sharing information in the complaint only with others who need to know it, keeping records regarding incidents and reports in locked filing cabinets at all times, password protecting any computer software that is utilized to record students’ reports, closing doors when discussing a student, clearly articulating the limits of confidentiality to students, and restricting discussion about students’ status as victim/survivors or perpetrators in public areas.<sup>2,6</sup>

A confidentiality policy should include **disclosures to a minor student’s parent/guardian.** To the extent possible, the ultimate decision of whether or not to notify a victim/survivor’s parent/guardian(s) that he/she

is making a complaint or seeking accommodation under this policy belongs with the student. School employees can work together with students experiencing dating violence to find ways of involving parents/guardians in ensuring their children's safety. If students choose to notify their parents/guardians that they are experiencing dating violence or sexual violence, school employees are urged to assist students to develop a plan for such disclosure, including meeting with students and parents/guardians as necessary.<sup>2,6</sup>

However, if disclosure to a student's parent/guardian would threaten the student's health or safety, school employees are encouraged to restrict such disclosures to the extent permissible by law. In these cases, school employees can seek the guidance of a community-based organization that provides services to teen victims/survivors of dating violence.<sup>6</sup>

### **Protection from Abuse Order (PFA)**

Schools have a duty to take any and all steps necessary to enforce a protection order held by a student.<sup>10</sup> Enforcement of court-issued

protection orders is critical to ensuring safety for students experiencing dating violence.<sup>6</sup>

The enforcement of protection orders is critical for a variety of reasons. Schools have a duty to comply with civil and criminal orders of protection. Most schools are likely already doing this, but can highlight the importance of this duty by explicitly requiring it in the Policy.

**By helping a student enforce a protection order, schools have the opportunity to protect that student, as well as the entire school, from future acts of violence.<sup>6</sup> The school can also send a message to students who are experiencing dating violence or sexual violence that the school is their ally and will do its part to keep them safe.<sup>6</sup>**

A designated individual at the district is encouraged to work with the student to create a safety plan regardless of whether the restrained individual is a student at the same school. If the restrained individual is not a student, the safety plan should focus on how to restrict his/her access to the school and how to protect the student's safety traveling to school.<sup>6</sup>

## 5. Notice of Policy

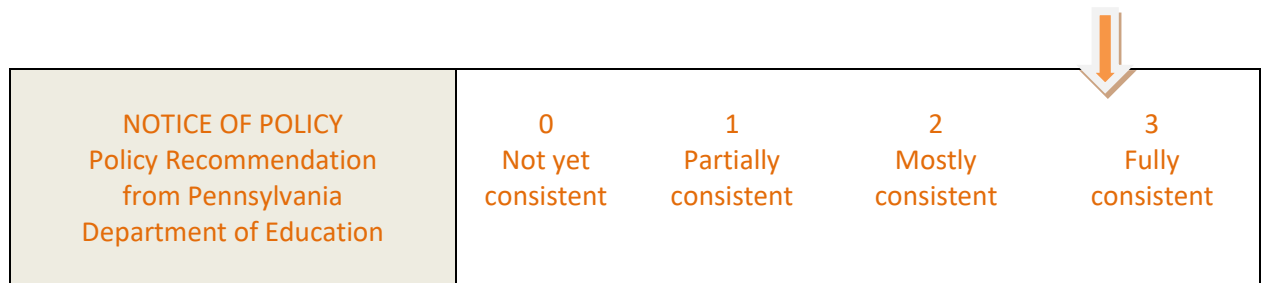
A policy should be publicized and made available to the entire school community.

### Notice Of Policy

In addition to the established process for publicizing school policies, the policy regarding dating violence shall be:

1. Disseminated in the student handbook at the beginning of each school year. The student handbook shall include the names of the DVRT members and a sign-off sheet to be signed and returned to the school office indicating that the parent/guardian and student have read and understand the policy.
2. Published on the school entity’s publicly accessible Internet website, if available.
3. Posted at a prominent location within each school building where such notices are usually posted.
4. Be made available in every classroom within the school entity.

**Districts in Lackawanna and Susquehanna Counties scored an average of 2.9 or “mostly consistent” with the PA DOE policy recommendation**



### Additional Information on Notification of Policy<sup>2, 6, 8, 10</sup>

School district policies are only useful when all staff and students know about, understand, and follow them.<sup>2, 6</sup> A notice of policy states when, where, and how a policy will be distributed or made available to staff, students, and other interested persons, such as community partners, or parents/guardians. This can also include a Notice of Review that states when reviews of the policies will occur and how staff, students, and others will be involved in the review process and notified of any changes. The effectiveness of a dating violence policy depends on students making use of it, therefore, it is vital that school districts make every effort to advertise the policy in places where students are likely to notice.<sup>6</sup>

Elements of a notice of policy include plans for distribution, and policy review, and notification of changes, including:

- Outline when/how policies will be distributed.
- Detail the process for policy review.
- Consider whether to offer the policies in other languages and how to ensure that they are accessible to all members of the school community.
- Identify what resources, gaps, challenges, and barriers exist to implementation.
- Identify what assets exist to ensure a successful implementation of the policy.
- Follow what the district has laid out as the notice of policy. *For instance, most districts in the two counties stated the dating violence policy was in the student handbook, but this was not the case in almost all handbooks. Not following the distribution plan can create concern that other parts of the policy will not be followed.*

## 6. Prevention, Training, and Education

A policy should include training requirements for the students, faculty and staff, administrators and the specific individuals who are key to the policy's implementation, such as:

**Prevention, Training And Education** The school entity will use the following strategies and techniques to create a school climate that encourages and sustains respectful interpersonal relationships, healthy youth development, and a feeling of safety:

### Ongoing and/or Annual Training Of The Dating Violence Response Team

The school entity will maintain a DVRT made up of school personnel who have received specialized and ongoing training on relevant issues. These trainings shall be designed to prepare DVRT members to:

1. Conduct investigations and assessments.
2. Respond appropriately to disclosures of dating violence.
3. Assist victims with safety planning.
4. Make appropriate referrals.
5. Decide and implement appropriate disciplinary action.
6. Monitor compliance of disciplinary action.
7. Evaluate and recommend changes in teen dating violence policy, regulations, and programs. It is important to ensure that members of the response team serve willingly and exhibit sensitivity to the issue.

Training for Teachers, Administrators and Staff Workshops related to dating violence will be provided to school administrators, teachers, health educators, school nurses, and other staff.

### Prevention and Education For The School Community

School-wide, universal dating violence prevention education will be provided for students and parents/guardians on the following topics:

1. Developing youth-led awareness and prevention activities that engage the school community.
2. Early interventions with students in response to incidents of dating violence.
3. Community collaboration.

In creating a safe school climate, the school entity will develop an advisory team of local experts from community organizations to assist in the school's efforts and to familiarize the schools with the roles, responsibilities and constraints of their agencies. These may include, but are not limited to, local domestic violence agencies and rape crisis centers, police department or Sheriff's Office, District Attorney's Office, probation, mental health services, Child Protective and Social Services staff, clergy and local faith leaders, media, and civic groups.

The district may incorporate age-appropriate dating violence education into the annual health curriculum framework for students in grades nine through twelve. The district shall consult with at least one (1) local domestic violence program or rape crisis program when developing the educational program.

A parent/guardian of a student under the age of eighteen (18) shall be permitted to examine the instructional materials for the dating violence education program. At the request of the parent/guardian, the student may be excused from all or part of the dating violence education program.

Districts in Lackawanna and Susquehanna Counties scored an average of **1.9** or **“partially consistent”** with the PA DOE policy recommendation

PREVENTION, TRAINING, AND EDUCATION Policy Recommendation from Pennsylvania Department of Education	0	1	2	3
	Not yet consistent	Partially consistent	Mostly consistent	Fully consistent

**Additional Information on Prevention, Training and Education Programs** <sup>2</sup>

**Training For School Personnel** <sup>2, 6, 8, 10</sup>

Training is a key component of understanding, preventing and responding to disclosures of dating violence, as well as effectively implementing school district policy. Because dating violence can have such a significant impact on the learning environment and safety of school campuses, many experts recommend that schools incorporate trainings on dating violence into their mandatory annual in-service trainings and/or throughout the academic year. Schools can partner with community-based organizations, who are dedicated to dating violence services and prevention. It is also recommended that schools offer ongoing education for the individual(s) designated in the policy to handle dating violence complaints.<sup>6</sup>

Some staff will have a greater role to play, but all school employees will likely have an opportunity to go beyond merely being aware of the policy.<sup>2</sup> All school employees should be able to respond appropriately when they witness or learn of an incident of dating violence.<sup>2</sup> Training is important for all staff because many youth will not go just to the guidance counselor or other designated person when they are seeking help; they will go to the adult they trust the most, who could be, for example, a coach, history teacher or band instructor.

Training around intervention, response and prevention helps create an environment that is supportive to survivors and all students, which in turn fosters disclosures and requests for help. Finally, training can also empower staff to fully support students and to feel confident that they can effectively respond if an incident occurs.<sup>2</sup>

**Training For Students** <sup>2, 6, 8, 10</sup>

Prevention of dating violence is possible, especially when a comprehensive approach utilizes multi-session, age appropriate, interactive curriculum that addresses attitudes, behaviors and skills, as well as awareness.<sup>1</sup> School districts can partner with community organizations that may already do this work.

Prevention education should begin in early adolescence, when peer influence, community and societal behaviors, and social norms are the most impactful. Some prevention programming even meets federal standards for academic subjects. **A prevention education strategy that teaches and reinforces healthy relationships skills and behaviors is key to changing the attitudes of students and adult influencers that contribute to acceptance of violence.**<sup>1, 2, 3, 6, 8, 12</sup>

Dating violence prevention programming can help students identify healthy and abusive behaviors, learn how to help themselves or a friend (since most teens will tell a friend over an

adult), and change attitudes, beliefs, and norms around dating violence. These create a safer, more positive school climate. A school policy that includes prevention programming for students establishes an expectation that all members of the school community should not tolerate dating violence.<sup>1, 2, 3, 6, 8, 12</sup>

**Parent Engagement**

Parents/guardians play a critical role in the lives of youth. Given that most students will be

under the care of an adult, it is important to include them in the policy. Consider the privacy and safety of young survivors when crafting a policy about parent/guardian notification.

**Involving parents/guardians is almost always helpful for a young survivor, but sometimes parents/guardians can be abusive or unsupportive and notification may result in an unsafe home environment for student.**

**7. Reference Relevant Law**

The policy should reference relevant law, such as:  
 Dating Violence Education –24 P.S. Sec. 1553  
 State Board of Education Regulations –22 PA Code Sec. 12.12  
 Child Protective Services Law –23 Pa. C.S.A. Sec. 6311  
 Domestic Violence and Rape Victims Services –71 P.S. Sec. 611.13  
 Family Educational Rights and Privacy Act –20 U.S.C. Sec. 1232g  
 Protection from Abuse Act –23 Pa. C.S.A. Sec 6101 et seq

**Districts in Lackawanna and Susquehanna Counties scored an average of 3 or “fully consistent” with the PA DOE policy recommendation**

REFERENCE RELEVANT LAW Policy Recommendation from Pennsylvania Department of Education	0	1	2	3
	Not yet consistent	Partially consistent	Mostly consistent	Fully consistent

**Additional Information on Referencing Relevant Law.**<sup>2, 6, 8, 12</sup>

Numerous federal and state requirements exist that outline the scope and type of policies related to abuse that schools must develop to be in compliance with federal and state funding requirements and to avoid liability. It may be

helpful to consult a school or school district attorney for any questions about how these laws may intersect with policies that a school district is developing to address dating violence.

# OVERARCHING CONSIDERATIONS

In addition to the outlined PA DOE recommendations, dating violence policies could go above and beyond by considering the following in policy development, implementation, and review.

## 1. Promote a Positive School Culture

A positive school culture that does not support dating violence is critical. Early response and intervention to warning signs and unhealthy relationships, sends a message that dating violence is not part of the culture and norm of the district.

For example:

- *Timely response after a complaint or disclosure, maintaining safety and confidentiality and empowering the student survivor sends a message to other victims/survivors that they have allies within the school district.*
- *School district policies can also shape a school district’s climate by creating a space where healthy relationships are encouraged and normalized, and abusive behaviors are responded to and handled in a way that supports students<sup>2</sup>.*
- *Offering prevention programs demonstrate that the district promotes healthy relationships*

## 2. Utilize Culturally Competent Language and Response

The sensitive nature of issues concerning relationships and sexuality requires an equally sensitive response, one that is aware of the unique beliefs and needs of each community. Community organizations offer a wealth of resources on which schools may rely, including cultural, language, and accessibility services.

For example:

- *Is the format accessible to students and parents/guardians with disabilities and limited English proficiency?*

- *Is the policy clear and laid out in a logical way? Consider reading the policy from perspective of a student who has been abused.*
- *Include multiple definitions which may be especially useful for those for whom English is not their first language.*

## 3. Use clear and specific language

Being as specific as possible helps individuals understand their rights and expectations.

For example:

- *School districts can clearly state what type of conduct is unacceptable and provide examples.*
- *Provide examples where possible so student survivors are aware of all of their options and available resources.*
- *What will happen if the policy is violated? What are the consequences, including that the person violating it will be subject to discipline up to and including termination/expulsion.*
- *How would the district protect against retaliation after a report is made?*

## 4. Build Strong Collaborations and Community Connections

Working with parents/guardians, community agencies, and other relevant stakeholders will strengthen a district’s capacity to respond to and prevent abuse, and can create buy-in which is integral to successful policy approval and implementation.

For example:

- *Connect with local domestic violence agency and/or advisory team of local experts, to*



review policy, and/or to provide prevention activities and trainings

- Provide training for all employees, school board members, students and law enforcement representatives on the policy.
- Utilize a domestic violence center's knowledge, experience and resources as a support to staff and students and consult with the organization when needed.

## 5. Incorporate the Needs of All Student-Survivors

All school districts have students who experience marginalization or have not been appropriately served by traditional methods and strategies of intervention.<sup>2</sup> Some students may have a disability, come from immigrant families where they or their parents/guardians are not legally documented, or identify as lesbian, gay, bisexual, transgender, queer/questioning (LGBTQ). Considering the needs of the most marginalized students when developing policies about abuse will help ensure that the policies respond to the needs of all students.<sup>2</sup> Policies that don't take into consideration cultural or identity specific issues may have unintended consequences for students who come forward.

For example:

- When developing a policy about mandated reporting or law enforcement involvement, consider the potential implications for undocumented students, such as the fears they might have for their family becoming involved with the government.

- When developing a parental notification policy, consider the risk students who identify as LGBTQ may face if they have a homophobic family and the gender of their abusive partner is disclosed to their parents.

## 6. Address Trauma in All Policies

Trauma-informed practices recognize the impact of trauma on individuals while minimizing additional harm. The types of trauma that a student might have experienced as a result of dating violence will vary greatly depending on the student and the specifics of the experience.

For example:

- Learning about and recognizing common symptoms of trauma (like hyper-vigilance or emotional numbing) and allowing survivors to have trauma-based responses without being punished for them.
- Creating a physically safe space for survivors to receive services, like a confidential office that is not too isolated.
- Allowing the survivor to participate in goal setting and have as much control as possible during intervention and discipline processes, such as allowing the survivor to make decisions about what accommodations are most needed.
- Recognize the value that confidentiality and the safety of information may have to a trauma survivor, and implement policies to support survivor empowerment as much as possible.



Sephora C, 9<sup>th</sup> grade Scranton School District

# THE STATE OF DATING VIOLENCE POLICIES IN LACKAWANNA AND SUSQUEHANNA COUNTIES

WRC determined the State of Dating Violence Policies in Lackawanna and Susquehanna County Public School Districts using a few methods. The “Down to Basics” survey looked at whether district dating violence policies existed, and if they included the PA DOE model policy recommended elements.

For example, does the district’s policy mention its “purpose”? WRC then went more in depth with the “District Scorecard”. For example, if a policy does mention its purpose, is it consistent with recommendations from the PA DOE?

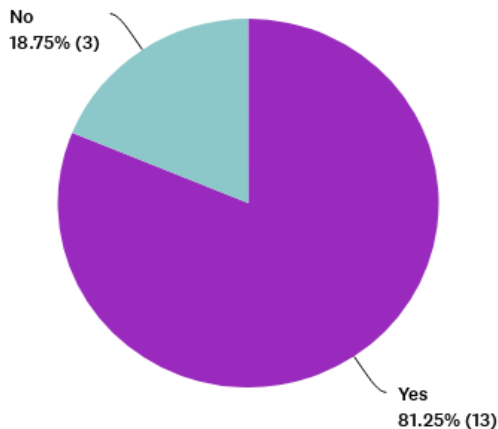
## In what county is the district located?



*Lackawanna County Public School Districts: Abington Heights, Carbondale Area, Dunmore, Lakeland, Mid Valley, North Pocono, Old Forge, Riverside, Scranton, and Valley View.*

*Susquehanna County Public School Districts: Blue Ridge, Elk Lake, Forest City Regional, Montrose Area, Mountain View and Susquehanna Community.*

## Does the district have a specific written dating violence policy?



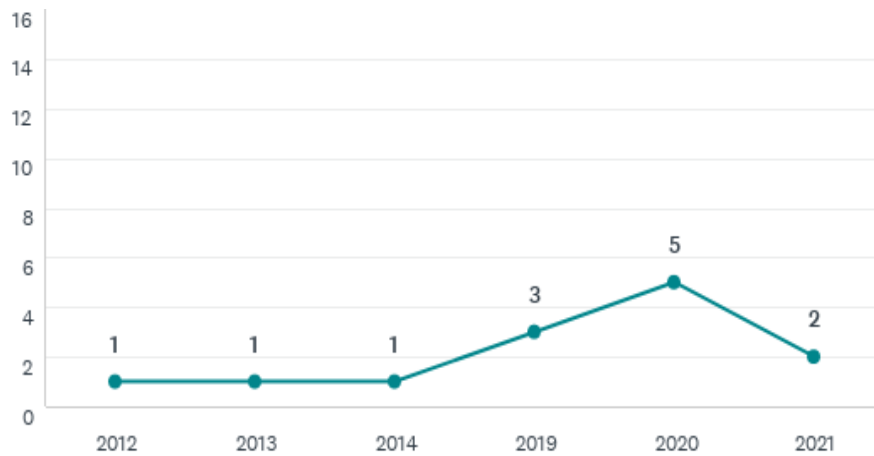
Of the 16 public school districts in Lackawanna and Susquehanna Counties, 13 had a written dating violence policy, as of the writing of this report, found in district’s Board of Education policies under section 200 (Pupils), policy #252.

Three different templates of policy are used across all 13 schools (see Appendix). The majority (11 schools) uses what WRC identifies as Policy Type #1, with seven (7) of these also including a paragraph on Title IX. One (1) school district uses what WRC identifies as Policy Type #2 and one (1) school district uses what WRC identifies as Policy Type #3.

Approximately 81% of public school districts across the two counties has a written dating violence policy, including:

- 13 out of 16 public schools in both counties combined.
- 8 out of 10 public school districts in Lackawanna County (one district has a dating violence policy pending approval, and was included in this report as not yet having one).
- 5 out of 6 public school districts in Susquehanna County

### What is the most recent publicly available policy update?



As of the writing of this report, 10 of the 13 dating violence policies have been updated in the last two years, with 4 districts in Susquehanna County and 6 in Lackawanna

County. The other 3 dating violence policies were last updated between 2012-2014, with 1 in Susquehanna County and 2 in Lackawanna County.

## Down to Basics

The following chart tracks how many school districts in Lackawanna and Susquehanna Counties met the basic recommendations of PA DOE. This does not take into account to what degree they met them, but just that these recommendations were mentioned in the policy in some way.

Recommended Element	Number of Districts who included this Recommended Element in their written policy	Number of Lackawanna County Districts who included this Recommended Element in their written dating violence policy	Number of Susquehanna County Districts who included this Recommended Element in their written dating violence policy
Specific and separate written Dating Violence policy	13	8	5
Purpose and Authority Scope/Students Rights	13	8	5
Definitions	13	8	5
Delegation of Responsibility	13	8	5
Prevention Education for School Community (Students)	13	8	5
Training for Teachers, Administrators, Staff	13	8	5
Reference relevant law	13	8	5
Notice of Policy	13	8	5
<b>Training for School on Policy</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Ongoing training of DVRT</b>	<b>0</b>	<b>0</b>	<b>0</b>
Parent Engagement	13	8	5
Guidelines	13	8	5
Complaint or Grievance	13	8	5
Investigation	13	8	5
Documentation	13	8	5
<b>Accommodations</b>	<b>2</b>	<b>2</b>	<b>0</b>
<b>Confidentiality</b>	<b>2</b>	<b>2</b>	<b>0</b>
<b>Enforce PFA</b>	<b>2</b>	<b>2</b>	<b>0</b>

While there is some promising data here, these numbers indicate that work can be done to improve consistency with policy recommendations from the PA DOE. Especially concerning training on dating violence and existing policies as well as guidelines that support students such as confidentiality, accommodations, and PFA enforcement.

## District Scorecard Rating Totals

For each section of the PA DOE model dating violence policy, WRC compared each district policy to the recommendations to determine consistency. This was scored both as a rating (0-3) and also as a score of 100% consistency. The District Scorecard of the policies, with the rating scale and comments, can be found in the Appendix. For a breakdown of the rating of each section of the PA DOE model policy, please also see the “Breakdown of Recommended Elements”, starting on page 17 of this report.

The Rating Scale (0-3) used was:

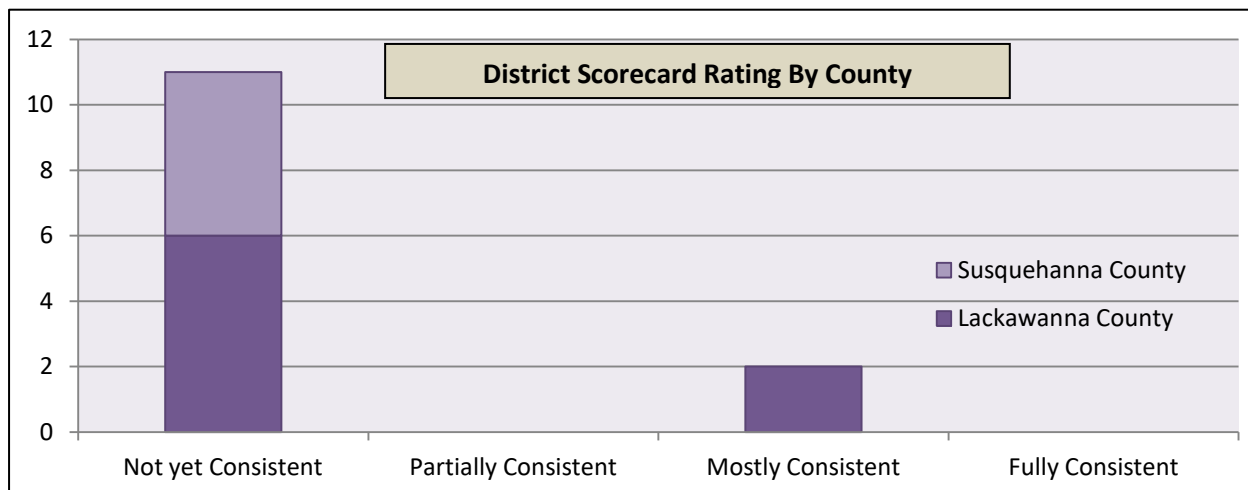
0	Policy does not address or is not yet consistent with this recommendation.
1	Policy is partially consistent with this recommendation. <i>Indicates policies that could be further strengthened with multiple modifications.</i>
2	Policy is mostly consistent with this recommendation. <i>Indicates sound policies that could be further strengthened with small modifications.</i>
3	Policy is fully consistent with this recommendation. <i>Indicates strong policies in line with current recommendations from PA Department of Education.</i>

**Across the two counties, for the 13 school districts with policies, the average rating was 1.09 out of 3 which is “partially consistent” with PA DOE model policy recommendations.** Counting all 16 school, including the 3 without policies, the average score was 0.89 which is “not yet consistent”.

As shown in the graph below, across the two counties, eleven school districts were “not yet consistent” with PA DOE model policy recommendations (average score of 0.9 out of 3). Two school districts were “mostly consistent” with PA DOE model policy recommendations (average score of 2 out of 3).

In Lackawanna County, of the 8 districts with dating violence policies, the average rating was 1.2 which is “partially consistent” with the PA DOE model policy recommendations. Of all 10 districts in the county, including the 2 who do not have a policy, the average rating was 0.96.

In Susquehanna County, of the 5 districts with policies, the average rating was 0.9 which is “not yet consistent” with the PA DOE model policy recommendations. Of all 6 school districts in the county, including 1 who does not have a policy, the average rating was 0.75.



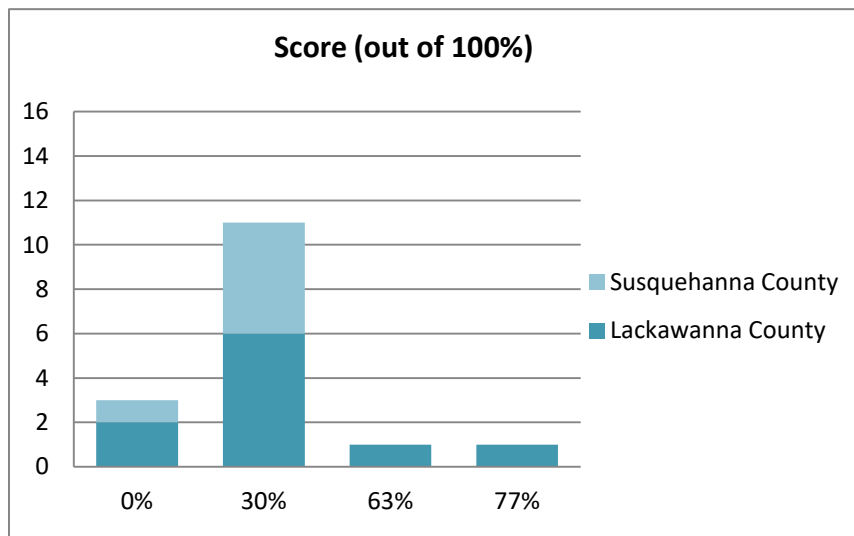
### Standard Point Score

WRC also used a standard point score of 100% since many school districts are familiar with 100% being a perfect score in many schools on tests and report cards. Each section of the recommended policy was worth up to 3 points (using the rating scale above). There were 33 sections when the policy was broken down for a total of 99 possible points. Districts were given an additional 1 point just for having a dating violence policy.

**For all 13 school districts with existing dating violence policies, the average score (out of 100%) was 36%. Of all 16 school districts, including 2 without policies, the average was 29%. Of those, as shown in the graph below, eleven districts scored 30%, one district scored 63%, and one district scored 77%. Three districts scored 0%.**

In Lackawanna County, of the 8 districts with dating violence policies, the average score was 40%. Of all 10 districts in the county, including the 2 who do not have a policy, the average score was 32%.

In Susquehanna County, of the 5 districts with dating violence policies, the average score was 30%. Of all 6 school districts in the county, including 1 who does not have a policy, the average score was 25%.



## Point Score Details

### Policy Type #1 (11 School Districts across both counties)

PA DOE Recommended Element	District Points	Possible Points for this section
Purpose and Authority	2	6
Definitions of Key Terms	2	3
Delegation of Responsibility	6	15
Guidelines	2	51
Notice of Policy	3	3
Training	11	18
Reference Relevant Law	3	3
<i>=1 point for having a dating violence policy</i>	1	1
<b>Total</b>	<b>30</b>	<b>100</b>

### Policy Type #2 (1 School District in Lackawanna County)

PA DOE Recommended Element	District Points	Possible Points for this section
Purpose and Authority	6	6
Definitions of Key Terms	3	3
Delegation of Responsibility	10	15
Guidelines	25	51
Notice of Policy	2	3
Training	13	18
Reference Relevant Law	3	3
<i>=1 point for having a dating violence policy</i>	1	1
<b>Total</b>	<b>63</b>	<b>100</b>

### Policy Type #3 (1 School District in Lackawanna County)

PA DOE Recommended Element	District Points	Possible Points for this section
<b>Purpose and Authority</b>	6	6
<b>Definitions of Key Terms</b>	3	3
<b>Delegation of Responsibility</b>	15	15
<b>Guidelines</b>	40	51
<b>Notice of Policy</b>	2	3
<b>Training</b>	16	18
<b>Reference Relevant Law</b>	3	3
<i>1 point for having a dating violence policy</i>	1	1
<b>Total</b>	<b>77</b>	<b>100</b>

## OBSERVATIONS

Most school districts (13 out of 16) have a dating violence policy which shows a commitment to students and to the issues. Even if a district has recommended elements in their policy, a policy is only effective if utilized. It cannot merely be a check box. For example, all schools stated that their dating violence policy was included in the student handbook. However, most did not actually include it in their student handbook. This may create distrust by students and parents/guardians that other elements of the policy may not be followed.

While no school districts included as much as the PA Department of Education would recommend, there was consistency with the recommendations in certain sections. The following refers to the 13 districts with written dating violence policies. See the Appendix for all results.

**All districts were “fully consistent” (scoring 3 out of 3) in their policy on the following recommendations by PA DOE.**

- Under Delegation of Responsibility: *The school will designate one (1) or more school employees to be members of the DVRT.*  
**Note:** Almost all listed the building principal as the designated individual.
- Under Training for Teachers, Administrators and Staff: *Workshops related to dating violence will be provided to school*

*administrators, teachers, health educators, school nurses, and other staff.*

**Note:** Although this is a recommendation not a requirement, to date WRC has provided training to three districts on Trauma Informed Classrooms.

- Under Prevention Education for Students: *The district may incorporate age-appropriate dating violence education into the annual health curriculum framework for students in grades nine through twelve. The district shall consult with at least one (1) local domestic violence program or rape crisis program when developing the educational program.*  
**Note:** Although all 14 school districts recommend but do not require prevention programming for students, four districts currently work with WRC to provide the Safe Dates Program, an evidence based dating violence prevention curriculum.
- Under Parent Notification: *A parent/guardian of a student under the age of eighteen (18) shall be permitted to examine the instructional materials for the dating violence education program. At the request of the parent/guardian, the student may be excused from all or part of the dating violence education program.*
- Under Reference Relevant Law  
**Note:** All districts reference relevant law.



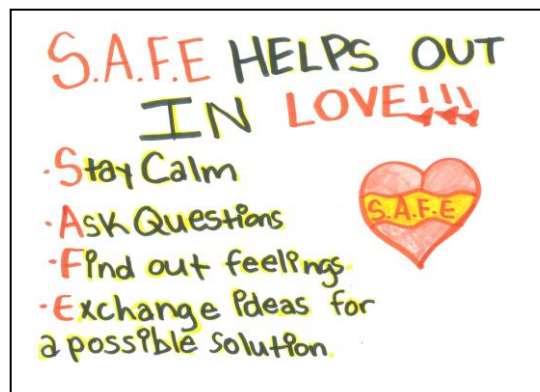
All districts are “not yet consistent” (scoring 0 out of 3) with the following PA DOE recommendations. All of these fall under Guidelines or Prevention, Training, Education Recommendations

- Under Investigation: Recommendations in response to a determination that the abusive behavior has occurred should minimize the burden on the victim/survivor, and thus should not, as a matter of course, remove the victim/survivor from classes or prompt a change in the victim/survivor’s class schedule while allowing the perpetrator’s class schedule to remain intact.
- Under Documentation: The file shall contain written documentation of actions taken by a DVRT member on behalf of a student experiencing dating violence. School employees acting with regard to a dating violence incident shall document the action in writing and provide the documentation to the DVRT.
- Under Documentation: The DVRT’s files shall be kept in a secure, locked filing cabinet under the control of the:
  - { } chief school administrator;
  - { } building principal;
  - { } guidance counselor; or
  - { } his/her designee.
- Under Protection From Abuse Orders: When the school entity is notified of the Protection From Abuse Order, the DVRT shall hold separate meetings with the victim/survivor/student and perpetrator/student to:
  - 1) Review the Protection From Abuse Order, the specific prohibitions under the order and ramifications for violating the order, including juvenile court for minors and criminal consequences for anyone eighteen (18) years of age or older.
  - 2) Clarify what the victim/survivor/student is asking of the DVRT, if anything, to keep him/her safe from the perpetrator.
  - 3) Review the school day, classes, lunch, and activities, paying attention to potential conflicts and opportunities for face-to-face contact between the victim/survivor/student and the perpetrator/student.
  - 4) Identify schedule overlaps, such as arrival/dismissal times, classes, lunch, activities, etc.
  - 5) Identify a plan to include safety precautions that eliminate or substantially diminish the opportunity for the victim/survivor and the perpetrator to come into contact on school property, at any school-sponsored activity, or on any public vehicle providing transportation to or from a school or school-sponsored activity.
- Under Protection From Abuse Orders: In meeting with the victim/survivor/student, the DVRT shall:
  - Help the victim/survivor/student identify adults within the school setting with whom s/he feels comfortable.
  - Assist the victim/survivor in developing a safety plan or refer the victim/survivor to a local domestic violence or rape crisis program.
- Under Ongoing and/or Annual Training of The Dating Violence Response Team: The school entity will maintain a DVRT made up of school personnel who have received specialized and ongoing training on relevant issues. These trainings shall be designed to prepare DVRT members to:
  - Conduct investigations and assessments.
  - Respond appropriately to disclosures of dating violence.

- Assist victim/survivors with safety planning.
- Make appropriate referrals.
- Decide and implement appropriate disciplinary action.
- Monitor compliance of disciplinary action.
- Evaluate and recommend changes in teen dating violence policy, regulations, and programs. It is important to ensure that members of the response team serve willingly and exhibit sensitivity to the issue.

*Note: Only two districts mentioned accommodations/modifications. National experts agree that victim/survivor led accommodations are one of the most important elements in a dating violence policy, along with confidentiality which only those same two districts mentioned. Supporting victims/survivors must be top of mind when creating and implementing policies.*

**Collaborating with a local DV agency is not specifically written in most of the policies. However, WRC's Teen Educators have made strong connections with staff in many of the school districts in the two counties.** In the coming years, WRC aims to be working with all of the districts in Lackawanna and Susquehanna Counties in some way. WRC is very proud of the relationships we have built in these school districts. We look forward to building more and stronger relationships as well as prevention programming with the districts to keep our communities safe and healthy, and to prevent dating and sexual violence together.



*Thaishmarie, 9<sup>th</sup> grade Scranton School District*

## POTENTIAL NEXT STEPS

1. If your school district has a written dating violence policy, please review the comments and recommendations in this report. Consider reviewing or updating your policy to include intervention, response and prevention. Regularly train staff, students, the board, and relevant stakeholders in the community on the policy. This will create safer schools, and empowered students and staff.
2. If your school district does not yet have a written dating violence policy, please review the comments and recommendations in this report and consider developing one that is focused on intervention, response and prevention. Once a policy is written, consider ongoing training for staff, students, parents/guardians, the school board, and relevant stakeholders in the community on the policy.
3. Consider presenting the information in this report to the School Board for your district. WRC can help with this.
4. As you develop or update policies, consider including students, local organizations, parents, and school staff in the process.
5. Partner with WRC on:
  - Prevention Programming for students
  - Training for school personnel and/or response individuals/team on intervention, response and prevention, as well as overarching considerations such as being trauma informed.
  - Support for students, families, and the school community - including WRC's 24 hour hotline, and legal advocacy, economic and housing advocacy, ongoing counseling and more.
  - Support for response team/individual as well as guidance department and other relevant staff
  - In depth policy review, including participating on an ongoing review team.
  - Technical assistance to help districts find relevant research, information, and programs. Additionally, helping districts communicate their work and commitment to students around dating violence, healthy relationships, and safe schools.



Emily B, 9<sup>th</sup> grade Scranton School District

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*Note: All web materials were accessed during the grant period, specifically September 2020-July 2021*

## **APPENDIX**

- A. Definitions/Glossary
- B. District Scorecard Summaries
- C. Sample Policy Types with Scorecards

## DEFINITIONS/GLOSSARY

According to research, the policy should contain definitions of key terms. According to the Pennsylvania Department of Education, Break the Cycle and Futures Without Violence, examples of definitions that may be helpful include:

**Accommodation:** a change or modification to a student’s school enrollment, participation or environment, which increases access to meaningful education or safety for a student who is experiencing dating violence or sexual violence.

**Alleged Perpetrator** shall mean an individual who is accused of committing any act or threat of dating violence as defined in this policy.

**Cultural competence:** the attitudes, knowledge, and skills that enable a school district or school employees to educate and respond effectively to students and parents from diverse cultures, groups, and communities.

**Dating partner:** any person, regardless of gender, sexual orientation, sex or gender identity, involved in a relationship with another person, where the relationship is primarily characterized by social contact of a sexual or romantic nature, whether casual, serious, short-term or long-term.

**Dating Violence:** the use of abusive behaviors, including, but not limited to, Internet, electronic, written, verbal, sexual or physical contact by a person to harm, threaten, intimidate, or control a current or former dating partner, regardless of sex, sexual orientation or gender identity. Dating violence may be an isolated incident or a repeated course of conduct. Dating violence includes but is not limited to:

- **Physical Abuse:** Any intentional unwanted contact with the victim’s body by either the perpetrator or an object within the perpetrator’s control, regardless of whether such contact causes pain or injuries to the victim.
- **Emotional Abuse:** The intentional infliction of mental or emotional distress by threat, coercion, stalking, humiliation, harassment, or other unwanted verbal or nonverbal conduct.
- **Sexual Abuse:** Any sexual behavior or contact by the perpetrator that is unwanted by the victim and/or interferes with the victim’s ability to consent to, or control, the circumstances of sexual behavior.
- **Technology abuse:** the use of digital or high-tech devices, including cell phones, computers, and the internet, to harm, threaten, intimidate, or control a current or former dating partner. (OVW)

**Dating Violence Response Team (DVRT):** a team of one (1) or more school employees, including the principal, who shall be responsible for receiving and responding to dating violence complaints. Other appropriate personnel may include a member of the student assistance program, school counselors, school resource officer, school police officer, teachers, school nurses and the person designated as the compliance officer in the harassment and nondiscrimination policies. The DVRT will be specifically trained, with a victim-centered focus on dating violence, safety planning and making appropriate referrals, by either a state coalition against domestic violence or rape, or a local domestic violence or rape crisis program.

**Domestic Violence Program:** a program which has as its primary purpose the provision of direct services to victims of domestic violence and their children, including, but not limited to, victim advocacy, counseling, shelter, information and referral, accompaniment, community education and prevention.

**Educational Records:** those records, files, documents, and other materials that contain information directly related to the student and are maintained by the school entity or party acting for the school entity.

**Modification:** a reasonable adjustment to a student's educational environment, or participation in school-related activities, which increases access to a meaningful education for a student who is experiencing dating violence and is reasonably intended to end the dating violence.

**Parent:** parent, legal guardian, or other adult acting *in loco parentis* of a child enrolled in the school district.

**Perpetrator:** an individual who has committed any act or threat of dating or sexual violence as defined in this policy.

**Predominant aggressor:** the person determined to be the most significant, rather than the first, aggressor taking into consideration the circumstances of both the immediate incident and the course of conduct by the partners during the entirety of the relationship.

**Protection order:** a civil court order issued in any jurisdiction for the protection of a victim of dating violence or sexual violence that restricts the conduct of an individual toward the victim.

**Rape Crisis Program:** a program which has as its primary purpose the provision of direct services to victims of sexual assault, including, but not limited to, crisis intervention, counseling, victim advocacy, information and referral, accompaniment through the medical, police and judicial systems, as well as providing education and prevention programs on rape and sexual assaults.

**Safety Plan:** an individualized set of actions, strategies, and resources that address a student's safety with regard to dating violence.

**School Climate:** the quality and character of school life. School climate shall be based on patterns of students', parents'/guardians' and school employees' experience of school life reflecting the norms, goals, values, interpersonal relationships, teaching and learning practices, and organizational structures of the school environment.

**School Employee:** any employee, independent contractor or volunteer of the school entity, including student teachers.

**School entity and school:** refer to school districts, area vocational-technical schools, intermediate units and charter schools, including cyber charter schools.

**Sexual violence:** sexual assault, abuse, or stalking of an individual, whether the perpetrator is known to the victim or a stranger.

Stalking: a pattern of intentional behavior, directed at a specific person, intended to cause fear or substantial emotional distress.

Student: any individual who is or has been enrolled in any school entity.

Victim: the student who is experiencing dating violence or sexual violence as defined in this policy.



## DISTRICT SCORECARD SUMMARY

X=Policy Type 1 (11 school districts)

X=Policy Type 2 (1 school district)

X=Policy Type 3 (1 school district)

Policy Recommendation from Pennsylvania Department of Education (directly from the model policy recommendations)	0 Not yet consistent	1 Partially consistent	2 Mostly consistent	3 Fully consistent
<b>Include the school entity's purpose and the authority for adopting the policy, such as:</b>				
1. Purpose The school entity strives to provide a safe, positive learning climate for students in the schools. Therefore, it shall be the policy of the school to maintain a school climate in which dating violence is not tolerated and to promptly address dating violence when it is reported or observed.			X	X X
2. Authority The school entity adopts this policy to: 1. Provide additional guidance and to supplement the school's harassment and nondiscrimination policies, as well as other relevant school policies. 2. Apply the rights of students and responsibilities of school employees in the context of dating violence within the school system. 3. Promote prevention of dating violence in the school entity. 4. Respond when there are cases of dating violence within the school entity. This policy shall not abrogate any civil and/or criminal remedies that may otherwise be available to the victim under state or federal law.	X			X X
<b>Contain definitions of key terms</b>				
Definitions			X	X X
<b>Delegation of Responsibility</b>				
A school entity may consider establishing a Dating Violence Response Team (DVRT) in a policy. If a team is established, the policy should include specifics as to the membership, training requirements and responsibilities of DVRT members, such as:		X X		X
The school will maintain a Dating Violence Response Team that shall be responsible for receiving complaints and responding in accordance with this policy.			X	X X
The school will designate one (1) or more school employees to be members of the DVRT.				X X X

<b>Policy Recommendation from Pennsylvania Department of Education</b> (directly from the model policy recommendations)	<b>0</b> <b>Not yet consistent</b>	<b>1</b> <b>Partially consistent</b>	<b>2</b> <b>Mostly consistent</b>	<b>3</b> <b>Fully consistent</b>
The Chief School Administrator or a designee shall develop administrative regulations regarding protocols for investigating complaints of dating violence.	X	X		X
<b>Guidelines</b> <b>A policy should include directions and procedures for the submission of a complaint and the investigation of complaints, such as:</b>				
<u>Complaint Form</u> The complaint form shall be made available to all students. The DVRT member who is notified of the dating violence incident may offer the student assistance in completing the complaint form. The DVRT member shall file completed complaint forms in a secure location in the school and district administrative offices.	X		X	X
<u>Investigation</u> Once a complaint has been referred, the DVRT shall initiate an investigation. The investigation shall be conducted in a manner that is designed to maintain confidentiality to the extent allowed by state and federal law and with a full and fair investigation.		X		X X
If the DVRT determines that abusive behavior has occurred on school property, at any school-sponsored activity, or on any public vehicle providing transportation to or from a school or school-sponsored activity, the DVRT shall make recommendations for a prompt and effective response, which may include disciplinary action for the alleged perpetrator if s/he is a student and modifications for the victim/student that are reasonably intended to ensure the victim's safety.	X X			X
Recommendations in response to a determination that the abusive behavior has occurred should minimize the burden on the victim, and thus should not, as a matter of course, remove the victim from classes or prompt a change in the victim's class schedule while allowing the perpetrator's class schedule to remain intact.	X X X			
If the dating violence did not occur on school property, at any school-sponsored activity, or on any public vehicle providing transportation to or from a school or school-sponsored activity, the DVRT may still provide modifications to the victim that are reasonably intended to ensure the victim's safety.	X			X X
The file shall contain written documentation of actions taken by a DVRT member on behalf of a student	X X X			

<b>Policy Recommendation from Pennsylvania Department of Education</b> (directly from the model policy recommendations)	<b>0</b> <b>Not yet consistent</b>	<b>1</b> <b>Partially consistent</b>	<b>2</b> <b>Mostly consistent</b>	<b>3</b> <b>Fully consistent</b>
experiencing dating violence. School employees acting with regard to a dating violence incident shall document the action in writing and provide the documentation to the DVRT.				
The DVRT's files shall be kept in a secure, locked filing cabinet under the control of the: { } chief school administrator; { } building principal; { } guidance counselor; or { } his/her designee.	X X X			
In order to protect the safety and confidentiality of the victim and to comply with state and federal law, access to the DVRT files shall be consistent with the school's confidentiality policy pertaining to the protection of student records.	X			X X
In addition to state law, the Federal Family Educational Rights and Privacy Act (FERPA) applies in order to protect the privacy of a student's educational records.	X			X X
<u>Confidentiality Of School-Related Information</u> Information received in confidence from a student may be revealed to the student's parent/guardian, the building principal or other appropriate authority when the health, welfare or safety of the student or other persons is clearly in jeopardy.	X			X X
<i>Parental Notification</i> –The DVRT shall encourage the victim to tell his/her parent/guardian about the dating violence and shall provide support to the victim.	X X	X		
<i>Mandatory Child Abuse Reporting</i> –Under no circumstances is this policy intended to abrogate the requirements related to mandatory child abuse reporting.	X			X X
<u>Protection From Abuse Orders</u> When a school is notified by the court, victim, parent/guardian, or otherwise provided a copy of the Protection From Abuse Order, the school, in consultation with the solicitor, will take appropriate actions to comply with the Protection From Abuse Order.	X X			X
In meeting with the victim/student, the DVRT shall: 1. Help the victim/student identify adults within the school setting with whom s/he feels comfortable. 2. Assist the victim in developing a safety plan or refer the victim to a local domestic violence or rape crisis	X X X			

<b>Policy Recommendation from Pennsylvania Department of Education</b> (directly from the model policy recommendations)	<b>0</b> <b>Not yet consistent</b>	<b>1</b> <b>Partially consistent</b>	<b>2</b> <b>Mostly consistent</b>	<b>3</b> <b>Fully consistent</b>
program.				
If the school knows or reasonably should have known that the perpetrator/student violated the Protection From Abuse Order on school property, the building principal or DVRT member shall contact law enforcement.	X X			X
<b>A policy should be publicized and made available to the entire school community.</b>				
<u>Notice Of Policy</u> In addition to the established process for publicizing school policies, the policy regarding dating violence shall be: <ol style="list-style-type: none"> <li>1. Disseminated in the student handbook at the beginning of each school year. The student handbook shall include the names of the DVRT members and a sign-off sheet to be signed and returned to the school office indicating that the parent/guardian and student have read and understand the policy.</li> <li>2. Published on the school entity's publicly accessible Internet website, if available.</li> <li>3. Posted at a prominent location within each school building where such notices are usually posted.</li> <li>4. Be made available in every classroom within the school entity.</li> </ol>			X X	X
<b>A policy should include training requirements for the students, faculty and staff, administrators and the specific individuals who are key to the policy's implementation, such as:</b> <b>Prevention, Training And Education</b> The school entity will use the following strategies and techniques to create a school climate that encourages and sustains respectful interpersonal relationships, healthy youth development, and a feeling of safety:				
<i>Ongoing and/or Annual Training Of The Dating Violence Response Team</i> The school entity will maintain a DVRT made up of school personnel who have received specialized and ongoing training on relevant issues. These trainings shall be designed to prepare DVRT members to: <ol style="list-style-type: none"> <li>1. Conduct investigations and assessments.</li> <li>2. Respond appropriately to disclosures of dating violence.</li> <li>3. Assist victims with safety planning.</li> <li>4. Make appropriate referrals.</li> <li>5. Decide and implement appropriate disciplinary action.</li> <li>6. Monitor compliance of disciplinary action.</li> <li>7. Evaluate and recommend changes in teen dating</li> </ol>	X X X			

<b>Policy Recommendation from Pennsylvania Department of Education</b> (directly from the model policy recommendations)	<b>0</b> <b>Not yet consistent</b>	<b>1</b> <b>Partially consistent</b>	<b>2</b> <b>Mostly consistent</b>	<b>3</b> <b>Fully consistent</b>
violence policy, regulations, and programs. It is important to ensure that members of the response team serve willingly and exhibit sensitivity to the issue.				
<i>Training for Teachers, Administrators and Staff Workshops</i> Related to dating violence will be provided to school administrators, teachers, health educators, school nurses, and other staff.				X X X
<i>Prevention And Education For The School Community</i> School-wide, universal dating violence prevention education will be provided for students and parents/guardians on the following topics: 1. Developing youth-led awareness and prevention activities that engage the school community. 2. Early interventions with students in response to incidents of dating violence. 3. Community collaboration.	X X X			
In creating a safe school climate, the school entity will develop an advisory team of local experts from community organizations to assist in the school’s efforts and to familiarize the schools with the roles, responsibilities and constraints of their agencies. These may include, but are not limited to, local domestic violence agencies and rape crisis centers, police department or Sheriff’s Office, District Attorney’s Office, probation, mental health services, Child Protective and Social Services staff, clergy and local faith leaders, media, and civic groups.		X		X X
The district may incorporate age-appropriate dating violence education into the annual health curriculum framework for students in grades nine through twelve. The district shall consult with at least one (1) local domestic violence program or rape crisis program when developing the educational program.				X X X
A parent/guardian of a student under the age of eighteen (18) shall be permitted to examine the instructional materials for the dating violence education program. At the request of the parent/guardian, the student may be excused from all or part of the dating violence education program.				X X X
<b>The policy should reference relevant law, such as:</b>				
Dating Violence Education –24 P.S. Sec. 1553 State Board of Education Regulations –22 PA Code Sec.				X X X

<b>Policy Recommendation from Pennsylvania Department of Education</b> (directly from the model policy recommendations)	<b>0</b> <b>Not yet consistent</b>	<b>1</b> <b>Partially consistent</b>	<b>2</b> <b>Mostly consistent</b>	<b>3</b> <b>Fully consistent</b>
12.12 Child Protective Services Law –23 Pa. C.S.A. Sec. 6311 Domestic Violence and Rape Victims Services –71 P.S. Sec. 611.13 Family Educational Rights and Privacy Act –20 U.S.C. Sec. 1232g Protection from Abuse Act–23 Pa.C.S.A. Sec 6101 et seq				

## POLICY TYPES USED BY DISTRICTS IN THE TWO COUNTIES

### POLICY TYPE #1 (USED BY 11 SCHOOL DISTRICTS\*\*)

Book	Policy Manual
Section	200 Pupils
Title	Dating Violence
Code	252
Status	Active

#### **Purpose**

The purpose of this policy is to maintain a safe, positive learning environment for all students that is free from dating violence. Dating violence is inconsistent with the educational goals of the district and is prohibited at all times.

#### **Definitions**

**Dating Partner** shall mean a person, regardless of gender, involved in an intimate relationship with another person, primarily characterized by the expectation of affectionate involvement, whether casual, serious or long-term.[1]

**Dating Violence** shall mean behavior where one person uses threats of, or actually uses, physical, sexual, verbal or emotional abuse to control the person’s dating partner.[1]

#### **Authority**

The Board encourages students who have been subjected to dating violence to promptly report such incidents.

The district shall investigate promptly all complaints of dating violence and shall administer appropriate discipline to any student who violates this policy.[2]

#### **Guidelines**

##### Complaint Procedure

When a student believes that s/he has been subject to dating violence, the student is encouraged to promptly report the incident, orally or in writing, to the building principal.

The building principal shall conduct a timely, impartial, and comprehensive investigation of the alleged dating violence.

The building principal shall prepare a written report summarizing the investigation and recommending disposition of the complaint. The complainant and the accused shall be informed of the outcome of the investigation.[1]

If the investigation results in a substantiated finding of dating violence, the building principal shall recommend appropriate disciplinary action, as circumstances warrant, in accordance with the Code of Student Conduct.[1][2]

If a possible violation of the district’s harassment policy is implicated, the building principal shall take additional action as necessary to comply with Board policy and state and federal law and regulations.[3]

The district shall document the corrective action taken and, where not prohibited by law, inform the complainant.

This policy on dating violence shall be:<sup>[1]</sup>

1. Published in the Code of Student Conduct.
2. Published in the Student Handbook.
3. Made available on the district's website, if available.
4. Provided to parents/guardians.

#### Dating Violence Training

The district may provide dating violence training to guidance counselors, nurses, and mental health staff at the high school as deemed necessary. At the discretion of the Superintendent, parents/guardians and other staff may also receive training on dating violence.<sup>[1]</sup>

#### Dating Violence Education

The district may incorporate age-appropriate dating violence education into the annual health curriculum framework for students in grades nine through twelve. The district shall consult with at least one (1) local domestic violence program or rape crisis program when developing the educational program.<sup>[1]</sup><sup>[4]</sup>

A parent/guardian of a student under the age of eighteen (18) shall be permitted to examine the instructional materials for the dating violence education program.<sup>[1]</sup><sup>[5]</sup>

At the request of the parent/guardian, the student may be excused from all or part of the dating violence education program.<sup>[1]</sup><sup>[6]</sup>

Legal

1. 24 P.S. 1553
2. Pol. 218
3. Pol. 248
4. 71 P.S. 611.13
5. Pol. 105.1
6. Pol. 105.2
- 22 PA Code 12.12
- 20 U.S.C. 1232g

**\*\*PLEASE NOTE**

***5 of the 11 districts also include a paragraph on Title IX Sexual Harassment and Other Discrimination***

#### Title IX Sexual Harassment and Other Discrimination

Every report of alleged dating violence that can be interpreted at the outset to fall within the provisions of policies addressing potential violations of laws against discrimination shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of a dating violence investigation, potential issues of discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination as well as the incidents of alleged dating violence.<sup>[3]</sup><sup>[4]</sup>

***2 of the 11 districts also include the above paragraph on Title IX Sexual Harassment and Other Discrimination, as well as a paragraph on Discipline for Students Convicted or Adjudicated on Sexual Assault***

#### Discipline of Student Convicted or Adjudicated of Sexual Assault

Upon notification of a conviction or adjudication of a student in this district for sexual assault against another student enrolled in this district, the district shall comply with the disciplinary requirements established by state law and Board policy.<sup>[5]</sup><sup>[6]</sup>



## POLICY #2 (USED BY 1 SCHOOL DISTRICT)

Book	Policy Manual
Section	200 Pupils
Title	Dating Violence
Code	252
Status	Active

### **Purpose**

To provide a safe, positive learning environment for students in the schools that is free from dating violence. Therefore, it shall be the policy of the School District to maintain a school climate in which dating violence is not tolerated and to promptly address dating violence when it is reported or observed.

This policy shall:

1. Provide additional guidance and supplement the school's harassment and nondiscrimination policies, as well as other relevant school policies.
2. Apply the rights of students and responsibilities of school employees in the context of dating violence within the school system.
3. Promote prevention of dating violence in the school entity.
4. Respond when there are cases of dating violence within the school entity.

### **Definitions**

**Alleged perpetrator** shall mean an individual who is accused of committing any act or threat of dating violence, as defined in this policy.

**Dating partner** shall mean a person, regardless of gender, sexual orientation or gender identity, involved in an intimate relationship with another person, primarily characterized by the expectation of affectionate involvement, whether casual, serious or long-term.

**Dating violence** shall mean the use of abusive behaviors including, but not limited to, Internet, electronic, written, verbal, sexual or physical contact by a person to harm, threaten, intimidate or control a current or former dating partner. Dating violence may be an isolated incident or a repeat course of conduct. Dating violence includes but is not limited to:

1. **Physical abuse:** any intentional, unwanted contact with the victim's body by either the perpetrator or an object within the perpetrator's control, regardless of whether such contact causes pain or injuries to the victim.
2. **Emotional abuse:** the intentional infliction of mental or emotional distress by threat, coercion, stalking, humiliation, harassment or other unwanted verbal or nonverbal conduct.
3. **Sexual abuse:** any sexual behavior or contact by the perpetrator that is unwanted by the victim and/or interferes with the victim's ability to consent to or control the circumstances of sexual behavior.

**Student** shall mean any individual who is enrolled in any school entity.

**Victim** shall mean the student who is experiencing dating violence, as defined by this policy.

## **Authority**

The Board declares that dating violence is prohibited.[1]

This policy shall apply in any situation where a student is experiencing dating violence on school property, at any school-sponsored activity, or on any vehicle providing transportation to or from a school or school-sponsored activity.

It should be noted that this policy will not abrogate any civil and/or criminal remedies that may otherwise be available to the victim under state or federal law.

The district intends this policy to be construed and applied in a manner that is consistent with applicable state and federal laws, regulations and Board policies.

## **Guidelines**

### **Complaint Procedure**

When a student believes that s/he has been subject to dating violence, the student is encouraged to promptly report the incident, orally or in writing, to the building principal, guidance counselor and/or classroom teacher. If a report is made to the guidance counselor or classroom teacher, it shall be immediately reported to the building principal.

The building principal shall conduct a timely, impartial, and comprehensive investigation of the alleged dating violence complaint.

The building principal shall prepare a written report summarizing the investigation and recommended disposition of the complaint. The complainant/victim and the alleged perpetrator shall be informed of the outcome of the investigation.[1]

If the investigation results in a substantiated finding of dating violence, the building principal shall recommend appropriate disciplinary action, as circumstances warrant, in accordance with the Code of Student Conduct and Disciplinary Procedures. The building principal shall also make such modifications for the victim/student that are reasonably intended to ensure the victim's safety.[1][2]

If a possible violation of the district's nondiscrimination and/or harassment policy is believed to have been violated, the building principal shall take additional action as necessary to comply with Board policy and state and federal law and regulations, as necessary.[3][4]

This policy on dating violence shall be:[1]

1. Published in the Code of Student Conduct.
2. Published in the Student Handbook.
3. Made available on the district's website.
4. Provided to parents/guardians.

The investigation shall be conducted in a manner that is designated to maintain confidentiality to the extent allowed by state and federal law and with a full and fair investigation. If the investigation reveals that the dating violence did not occur on school property, at any school-sponsored activity or on any vehicle providing transportation to or from a school or school-sponsored activity, the building principal may still provide adequate modification to the victim/student during school that is reasonably intended to ensure the victim's safety.

### **Documentation**

Because of safety concerns, the district shall maintain a system for documenting each complaint and investigation of dating violence. The district shall maintain a complete file for each case of dating violence and shall preserve the case file consistent with district record retention policies.[5]

In order to protect the safety and confidentiality of the victim and to comply with state and federal law, access to the files shall be consistent with the school's confidentiality policy pertaining to the protection of student records.[6][7]

In addition to state law, the Federal Family Educational Rights and Privacy Act (FERPA) applies in order to protect the privacy of a student's educational records.[8]

#### Confidentiality of School-Related Information

Information received in confidence from a student may be revealed to the student's parent/guardian, the building principal or other appropriate authority when the health, welfare or safety of the student or other persons is clearly in jeopardy.[9][10]

#### Mandatory Child Abuse Reporting

Under no circumstances is this policy intended to abrogate the requirements related to mandatory child abuse reporting.[11][12]

#### Protection From Abuse Orders (PFA)

When a school is notified by the court, victim, parent/guardian or otherwise provided a copy of a PFA that has been entered, the school, in consultation with the solicitor, will take appropriate actions to comply with the Protection From Abuse order.[13]

#### Training for Teachers, Administrators and Staff

Workshops related to dating violence may be provided to school administrators, teachers, health educators, school nurses and other staff as the district deems necessary.[1]

#### Prevention and Education for the School Community

In creating a safe school climate, the school will develop an advisory team of local experts from community organizations to assist in the school's efforts and to familiarize the schools with the roles, responsibilities and constraints of their agencies. These may include, but are not limited to, local domestic violence agencies and rape crisis centers, police department or Sheriff's Office, District Attorney's Office, probation, mental health services, child protective and social services staff and local leaders of media and civic groups.

The district may incorporate age-appropriate dating violence education into the annual health curriculum framework for students in grades 8-12. The district shall consult with at least one (1) local domestic violence program or rape crisis program when developing the educational program.[1][14]

A parent/guardian of a student under the age of eighteen (18) shall be permitted to examine the instructional materials for the dating violence education program.[1][15]

At the request of the parent/guardian, a student may be excused from all or part of the dating violence education program.[1][16]

#### **Legal**

- |                    |                               |
|--------------------|-------------------------------|
| 1. 24 P.S. 1553    | 9. 22 PA Code 12.12           |
| 2. Pol. 218        | 10. Pol. 207                  |
| 3. Pol. 103        | 11. 23 Pa. C.S.A. 6311        |
| 4. Pol. 248        | 12. Pol. 806                  |
| 5. Pol. 800        | 13. 23 Pa. C.S.A. 6101 et seq |
| 6. Pol. 113.4      | 14. 71 P.S. 611.13            |
| 7. Pol. 216        | 15. Pol. 105.1                |
| 8. 20 U.S.C. 1232g | 16. Pol. 105.2                |

## POLICY #3 (USED BY 1 SCHOOL DISTRICT)

**1. Purpose:** To provide a safe, positive learning climate for students in the schools. Therefore, it shall be policy of the School District to maintain a school climate in which dating violence is not tolerated and to promptly address dating violence when it is reported or observed.

This policy shall:

1. Provide additional guidance and supplement the school's harassment and nondiscrimination policies, as well as other relevant school policies.
2. Apply the rights of students and responsibilities of school employees in the context of dating violence within the school system.
3. Promote prevention of dating violence in the school entity.
4. Respond when there are cases of dating violence within the school entity.

### **2. Definitions**

**Alleged Perpetrator** shall mean an individual who is accused of committing any act or threat of dating violence as defined in this policy.

**Dating Partner** shall mean a person, regardless of gender, sexual orientation or gender identity, involved in an intimate relationship with another person, primarily characterized by the expectation of affectionate involvement, whether casual, serious or long-term.

**Dating Violence** shall mean the use of abusive behaviors, including, but not limited to, Internet, electronic, written, verbal, sexual or physical contact by a person to harm, threaten, intimidate or control a current or former dating partner, regardless of gender, sexual orientation or gender identity. Dating violence may be an isolated incident or a repeat course of conduct. Dating violence includes but is not limited to:

- **Physical Abuse:** Any intentional unwanted contact with the victim's body by either the perpetrator or an object within the perpetrator's control, regardless of whether such contact causes pain or injuries to the victim.

**Emotional Abuse:** The intentional infliction of mental or emotional distress by threat, coercion, stalking, humiliation, harassment, or other unwanted verbal or nonverbal conduct.

- **Sexual Abuse:** Any sexual behavior or contact by the perpetrator that is unwanted by the victim and /or interferes with the victim's ability to consent to or control the circumstances of sexual behavior.

**Dating Violence Response Team (DVRT)** shall mean a team of school employees, including the principal or designee, who shall be responsible for receiving and responding to dating violence complaints. Other appropriate personnel may include members of the student assistance program, guidance counselors, school resource officers, teachers, school nurses, school social worker and the person designated as the compliance officer in the harassment and nondiscrimination policies. The DVRT will be specifically trained, with a victim-centered focus on dating violence, safety planning and making appropriate referrals, by either a state coalition against domestic violence or rape, or a local domestic violence or rape crisis program.

**Domestic Violence Program** shall mean a program which has as its primary purpose the provision of direct services to victims of domestic violence and their children, including, but not limited to, victim advocacy, counseling, shelter, information and referral, victim-witness, accompaniment, community education and prevention. *71 P.S. Sec. 611.13*

**Educational Records** shall mean those records, files, documents, and other materials that contain information directly related to the students and are maintained by the school or party acting for the school. *20 U.S.C Sec. 1232g*

**Perpetrator** shall mean an individual who has committed any act or threat of dating violence as defined in this policy.

**Protection From Abuse Order (PFA)** shall mean a civil court order issued for the protection of a victim of dating violence that restricts the conduct of an individual toward the victim.

**Rape Crisis Program** shall mean a program which has as its primary purpose the provision of direct services to victims of sexual assault, including, but not limited to, crisis intervention, counseling, victim advocacy, information and referral, victim witness assistance, accompaniment through the medical, police and judicial systems, as well as providing education and prevention programs on rape and sexual assaults. *71 P.S. Sec. 611.13*

**Safety Plan** shall mean an individualized set of actions, strategies, and resources that address a student's safety with regard to dating violence.

**School employee** shall mean any employee, independent contractor or volunteer of the school entity, including student teachers.

**Student** shall mean any individual who is enrolled in any school entity.

**Victim** shall mean the student who is experiencing dating violence as defined by this policy.

### **3. Authority**

The School District's Board of Education declares that dating violence is prohibited.

This policy shall apply in any situation where a student is experiencing dating violence on school property, at any school-sponsored activity, or on any vehicle providing transportation to or from a school or school-sponsored activity. *24 P.S. Sec. 1553*

The school encourages students who have been a victim of dating violence to promptly report such incidents to designated employees via the student complaint form.

It should be noted that this policy will not abrogate any civil and/or criminal remedies that may otherwise be available to the victim under state or federal law.

The district intends this policy to be construed and applied in a manner that is consistent with applicable state and federal laws, regulations, and Board policies.

### **4. Delegation of Responsibility**

The school will maintain a Dating Violence Response Team (DVRT) that shall be responsible for receiving complaints and responding in accordance with this policy. The DVRT will consist of school employees, including the building level principal, who shall be responsible for receiving and responding to dating violence complaints. Other appropriate personnel may include, but is not limited to, a member of the student assistance team, guidance counselors, school resource officers, school nurses, selected members of the professional staff and the person designated as the compliance officer in the harassment and nondiscrimination policies.

If a student notifies a school employee who is not a member of the DVRT of the dating violence, that school employee should immediately notify a designated member of the DVRT. In that regard, school employees will be aware of the proper protocol, including contact information for the designated DVRT member, to follow in order to respond to incidents of dating violence between students on school property, at any school-sponsored activity, or on any vehicle providing transportation to or from a school or school-sponsored activity.

The Superintendent or designee shall develop administrative regulations regarding protocols for investigating complaints of dating violence.

## **5. Guidelines**

### **Complaint Form**

The complaint form shall be made available to all students.

The DVRT member who is notified of the dating violence incident may offer the victim assistance in completing the complaint form.

The DVRT member shall file completed complaint form in a secure location in the school's guidance or administrative office.

### **Investigation**

Once a complaint has been referred, the DVRT shall initiate an investigation. The investigation shall be conducted in a manner that is designed to maintain confidentiality to the extent allowed by state and federal law and with a full and fair investigation.

If the DVRT determines that abusive behavior has occurred on school property, at any school-sponsored activity, or on any vehicle providing transportation to and from school or a school-sponsored activity, the DVRT shall make recommendations for a prompt and effective response, which may include disciplinary action for the alleged perpetrator if he/she is a student and modifications for the victim/student that are reasonably intended to ensure the victim's safety.

If the dating violence did not occur on school property, at any school-sponsored activity, or on any vehicle providing transportation to or from school or school-sponsored activity, the DVRT may still provide modifications to the victim that are reasonably intended to ensure the victim's safety.

### **Documentation**

Because of safety concerns, the district shall maintain a system for documenting each complaint and investigation of dating violence. The district shall maintain a complete file for each case of dating violence and shall preserve the case file consistent with district record retention policies.

In order to protect the safety and confidentiality of the victim and to comply with state and federal law, access to the DVRT files shall be consistent with the school's confidentiality policy pertaining to the protection of student record.

In addition to state law, the Federal Family Educational Rights and Privacy Act (FERPA) applies in order to protect the privacy of a student's educational records. *20 U.S.C Sec. 1232g*

### **Confidentiality of School Related Information**

Information received in confidence from a student may be revealed to the student's parent/guardian, the building level principal or other appropriate authority when the health, welfare or safety of the student or other persons is clearly in jeopardy. *Title 22 Sec. 12.12*

### **Mandatory Child Abuse Reporting**

Under no circumstances is this policy intended to abrogate the requirements related to mandatory child abuse reporting. *23 Pa C.S.A Sec. 6311*

### **Protection From Abuse Orders (PFA)**

When a school is notified by the court, victim, parent/guardian, or otherwise provided a copy of the PFA, the school in consultation with the solicitor, will take appropriate actions to comply with the Protection From Abuse Order. If the school knows or reasonably should have known that the perpetrator/student violated the Protection From Abuse Order on school property, the building level principal or DVRT member shall contact law enforcement. *23 Pa C.S.A. Sec 6101 et seq.*

### **Notice of Policy**

In addition to the established process for publicizing school policies, the policy regarding dating violence shall be:

1. Disseminated in the student handbook at the beginning of each school year. The student handbook shall include a sign-off sheet to be signed and returned to the school office indicating that the parent/guardian and student have read and understood the policy.
2. Published on the school's publicly accessible Internet website.
3. Posted at a prominent location within each school building where such notices are usually posted.

*24 P.S. Sec. 15-1553*

*24 P.S. Sec. 15-1553*

### **Training for Teachers, Administrators and Staff**

Workshops related to dating violence will be provided to school administrators, teachers, health educators, school nurses and other staff.

### **Prevention and Education for the School Community**

In creating a safe school climate, the school will develop an advisory team of local experts from community organizations to assist in the school's efforts and to familiarize the schools with the roles, responsibilities and constraints of their agencies. These may include, but are not limited to, local domestic violence agencies and rape crisis centers, police department or Sheriff's Office, District Attorney's Office, probation, mental health services, child protective and social services staff and local leaders of media and civic groups.

The district may incorporate age-appropriate dating violence education into the annual health curriculum framework for students in grade 8-12. The district shall consult with at least one local domestic violence program or rape crisis program when developing the educational program. *24 P.S. Sec. 15-1553*

A parent/guardian of a student under the age of eighteen (18) shall be permitted to examine the instructional materials for the dating violence education program. *24 P.S. Sec. 15-1553*

At the request of the parent/guardian, a student may be excused from all or part of the dating violence education program. *24 P.S. Sec. 15-1553*