U.S. DEPARTMENT OF JUSTICE,
OFFICE ON VIOLENCE AGAINST WOMEN
IN COLLABORATION WITH

Break the Cycle
Empowering Youth to End
Domestic Violence

CENTER FOR HEALTHY
Teen Relationships

STEP GRANT PROGRAM

Framework for Developing School Policies to Address Domestic Violence, Dating Violence, Sexual Assault and Stalking

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INTRODUCTION

Effective school policies form the foundation of a comprehensive abuse intervention prevention and response framework. At the most basic level, policies guide teachers and administrators in their response to an incident of violence. However, school 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.

This guide will assist schools and school districts in developing comprehensive policies addressing healthy relationships and abuse intervention and response as well as offer ideas and examples for developing procedures that are responsive to the needs of all student survivors. Many schools and school districts have policies already in place to address some of the areas covered in this tool. Other schools and school districts are embarking on policy development from scratch.

Schools may use different words to describe what this tool calls "policy" – procedure, regulation, rules, or something else. This guide uses the term "policy" to describe the basic rules that govern a school's daily work and uses the term "procedure" to discuss the practical implementation of policies and how individuals or a system will comply with the policy.

This guide was developed to be used as a whole or in sections, depending on what areas schools or districts need assistance. Chapter 1, entitled **Policy Foundations**, defines the terms, principles and basic policies that all schools or districts should have in place. Chapters 2 and 3 address **Confidentiality** and **Mandatory Reporting**, respectively, as policy components central to supportive and responsive policy. These chapters elaborate on the value of these policies, discuss the elements of a good confidentiality or mandatory reporting policy, and provide tips for implementation, examples, and relevant resources. Chapter 4 covers the value and implementation of **Staff Trainings**, followed by **Prevention Education** guidelines in Chapter 5. Chapter 6 and 7 discuss the elements and implementation of **Discipline Policies and Procedures** and **Accommodations**, respectively, and also provide tips for implementation, examples and relevant resources. Finally, Chapter 8 summarizes **School Staffing** guidelines and priorities that can support the sustainability of these policies.

DEVELOPING POLICY

CORE VALUES

A student's experience of domestic violence, dating violence, sexual assault, or stalking 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. Relationship violence is inextricably linked to other school health and safety issues, such as truancy, weapons on campus, bullying and fighting. Unchecked violence and unhealthy relationships threaten not only the safety of teen survivors, but of every student and staff member in the school. In addition to being able to impact individual survivors of violence, schools have the opportunity to play a significant role in both responding to and preventing incidents of relationship violence across the school community. School policies that addresses abuse prevention, intervention and response 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 students. Ensuring that school policies include the following core values will lead to more student engagement, better learning opportunities and a safer work environment for employees of the school. Throughout the guide, look for text boxes in PURPLE that highlight some examples of ways that school policy can support these core values.

CULTURE OF HEALTHY RELATIONSHIPS

A deep school culture change is needed to eradicate the violence and abuse that impact the lives of so many students. Policies form the foundation for a school community that models healthy relationships and respectful behavior and can ensure that information about healthy relationships is integral in trainings for faculty and staff as well as student curriculum. Policies also guide community engagement processes, such as those that provide awareness education for parents and guardians. Comprehensive policies about healthy relationships and abuse prevention show students, school staff, parents/guardians, and the broader community that the school takes abuse seriously.

STRONG COLLABORATIVES

Working with parents, guardians, community agencies, and organizations will strengthen a school's capacity to respond to and prevent abuse. While there is no single policy on "collaboration," many school policies address how to promote and maintain collaborations among school staff and parents/guardians or members of community organizations. Working with parents/caregivers, community members and agencies, and other relevant stakeholders will help schools and districts develop community specific policies, and can create buy-in which is integral to successful policy approval and implementation.

EMPOWERED STUDENTS

School policies on abuse can go beyond responding to abusive behavior and can also encourage student growth and positive development. 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. Policies developed to hold accountable students who have been abusive should similarly give them a chance to grow beyond their behaviors. All responsive 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. Youth can also be empowered through the policy development process by being part of focus groups or policy development teams to make sure that grievance, accommodation and disciplinary processes are responsive to their particular needs.

SAFE SCHOOLS FOR ALL

Students who feel safe at school will learn better and become more integrated into the school community. Safe schools also allow teachers to teach more effectively. Developing policies to address abuse is a first step in creating a safer school. First, policies that reduce the incidence of abuse by encouraging healthy relationships create schools with less violence. Second,

policies that encourage awareness education and early intervention can possibly decrease the chance that abuse will escalate. Third, policies that provide direction for clear, accessible response procedures put the entire school community on notice that abuse is not tolerated and that students who have been abusive will be held accountable.

RELEVANT LEGAL REQUIREMENTS

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. These laws, such as Title IX of the Education Amendments of 1972 and the No Child Left Behind Act of 2001 and any relevant waivers to these laws, are beyond the scope of this policy tool, but should be considered when developing policies to address domestic violence, dating violence, sexual assault, and stalking. Consult a school or school district attorney for any questions about how these laws may intersect with policies that a school is developing to address domestic violence, dating violence, sexual assault, and stalking. **NOTE: This tool is a product of the Technical Assistance Center and is not intended to be legal interpretation or legal advice. This tool is not official guidance from OVW.**

PRINCIPLES OF POLICY DEVELOPMENT

The following are core principles to guide schools and districts as they review policies to ensure they are responsive to the core values outlined above. Schools should keep 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.

ADDRESS TRAUMA IN ALL POLICIES

Trauma-informed practices recognize the impact of trauma on individuals and specific needs of trauma survivors while minimizing additional harm. The types of trauma that a student might have experienced as a result of domestic violence, dating violence, sexual assault, or stalking will vary greatly depending on the student and the specifics of the experience, but a few general principles can be taken into account when developing policies related to abuse, including:

- 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. For example, if possible, allow the survivor to make decisions about what accommodations are most needed and how the survivor wants to be involved in the disciplinary process.
- Recognize the value that confidentiality and the safety of information may have to a trauma survivor, and implement policies to support survivor empowerment when releasing information as much as possible.

CREATE POLICIES THAT EMPOWER YOUTH AND SURVIVORS

Not only have student survivors of domestic violence, dating violence, sexual assault, and stalking in schools experienced trauma, they are also young, which creates additional challenges when responding to their needs. Creating policies and procedures that respond to the specific needs of young survivors and takes into account their need for privacy and autonomy will help schools appropriately and effectively respond to incidents of abuse and to implement effective prevention education that supports safe disclosures of abuse.

- 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 and notification may result in an unsafe home environment for students.
- Provide a broad spectrum of individuals to whom a student can report abuse (instead of just to the principal, counselor, or one specific teacher). This will maximize the chance that students have the opportunity to disclose to someone with whom they feel safe.

INCOPORATE THE NEEDS OF ALL STUDENT-SURVIVORS

All schools have students who experience marginalization or have not been appropriately served by traditional methods and strategies of intervention. 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. 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 a lesbian student may face if she has a homophobic family and the gender of her abusive partner is disclosed to her parents.

CHAPTER 1 –POLICY FOUNDATIONS

INTRODUCTION

When creating or building upon existing school or district policies for dating violence, domestic violence, sexual assault, and stalking, 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. Additionally, all schools should include non-discrimination policies and a statement of the school's commitment to protect staff, students and others from abusive behavior. Most schools and districts will already have some elements of the listed policies that can be strengthened to better address domestic violence, dating violence, sexual assault, and stalking.

DEFINE KEY TERMS

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 following the intent of the policy-makers. This process ensures that all users of the policy are applying the same definitions; some of the terms used in the field of domestic and sexual violence have different meanings in different contexts or have multiple definitions used by different communities.

The definitions section of a school's policies should list and define all key terms used within the policies. For example, if a policy describes what must be done for a student who experiences abuse, explain what "abuse" means. If terms have specific legal meanings or are defined by law, include the legal language (e.g., emancipated minor).

> **The following is a brief list of terms that may need a definition:**
>
> **Youth-related terms:** minor, emancipated minor, mature minor, child, teen, young adult, youth, adolescent, adult, parent/guardian
>
> **Abuse-related terms:** dating partner, dating abuse, dating violence, physical abuse, emotional abuse, sexual abuse, survivor/victim, offender/perpetrator, predominant aggressor, stalking
>
> *See Appendix I – Sample Definitions.*

ENHANCE A NON-DISCRIMINATION POLICY

Most schools will already have a non-discrimination policy in place, but likely have not considered how that policy may or may not address the needs of students who experience some form of abuse. Generally, a non-discrimination policy notifies staff, students, and parents/guardians that discriminatory behavior is not tolerated or practiced by the school. Non-discrimination policies outline who the policy applies to (e.g., staff and students) and which groups of people are protected from discrimination.

Non-discrimination policies help to create an equitable school community by setting standards of behavior for staff and students to follow. Importantly, non-discrimination policies create an environment where staff and students do not need to fear mistreatment because of who they are. For this reason, non-discrimination policies can create a school environment that is safe for

staff and students to disclose abuse and to seek help. For example, if a school's non-discrimination policy includes non-discrimination on the basis of sexual orientation and experience of surviving abuse, a lesbian student may feel more comfortable disclosing abuse and asking for assistance.

> Remember, simply stating that a school does not discriminate "unlawfully" or works in accordance with federal and state laws is usually not enough to be fully protective.

A non-discrimination policy should include:

- A clear list of who must follow the policy, potentially including staff, volunteers, students or sub-contractors.
- Language that outlines what type of environment the policy seeks to create in the school. For example, a non-discrimination policy might be written to create an equal opportunity for employment or an equal opportunity for participation based on certain protected characteristics.
- A listing of protected characteristics may include: race, class, ethnicity, national origin, immigration status, religion, sex, sexual orientation, gender identity or expression, age, height, weight, disability status, veteran status, military obligations, parental status, and relationship status.
- A clause protecting staff or students who disclose their status as a survivor of violence or who request accommodations related to surviving violence.

ENHANCE AN APPLICABILITY POLICY

Most schools will already have an applicability policy in place, but likely have not considered how that policy may need to change based on updates to other policies. An applicability policy explains the circumstances in which a policy should be used, including which persons and what behaviors are covered by the policy. An applicability policy can also explain which policies apply to which types of person (e.g., a policy that applies only to staff versus a policy that applies to both staff and students). It may be a stand-alone clause at the beginning of a policy, or may be incorporated into each of a set of policies as appropriate. Staff, students and others can look at an applicability policy to determine whether or not certain school policies apply to them. Clear identification of to whom a policy applies will help individuals understand their rights and obligations. For example, a school may choose to apply its policies to behaviors conducted while staff or students are at the school or at a school-sponsored function. Another school may choose to apply its policies to staff acting in their professional capacity or to cover certain behaviors of students when off-site.

ENHANCE A NOTICE OF POLICY STATEMENT

School policies are only useful when all staff and students know about, understand, and follow them. A Notice of Policies statement is a clause in a policy that 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. A Notice of Policy statement 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. Again, though most schools already have a notice of policy statement, this may need to be altered based on updates that are made to other policies around prevention education and abuse intervention.

ELEMENTS OF A NOTICE OF POLICY

Distribution Plan

- o Outline when the policies will be distributed and by whom.
- o Explain how new staff or students can obtain the policies and how others will receive it on a regular basis (e.g., annually or every 6 months) for review.
- o Detail how an individual can obtain a copy of the policies after original distribution and between scheduled distribution dates. Recommend posting the policies (or parts of them) on the school's website to provide access for all parties.

Plan for Policy Review and Notification of Changes

- Include how often the school will review policies (e.g., every year).
- Detail the process by which the policies will be reviewed.
- List who will be involved in the review process.
- Explain how staff, students and others will be notified of the review process, their ability to participate and any changes made to the policies.
- Consider whether to offer the policies in other languages and how to ensure that they are accessible for members of the school community with disabilities.

EXAMPLE OF A NOTICE OF POLICY

"The policies of [this school] will be distributed to all staff, students and parents during new staff orientation. If changes are made to any policy, all staff will be notified immediately. The policies that are applicable to students will also be given in paper form to new students during intake. Policies applicable to students include: Confidentiality, Reporting, and all other policies that detail the rights or responsibilities of staff and students. If changes are made that are relevant to students and staff, school administration will inform the school community of these changes within two weeks of the change. All school policies will be available on [the school's] internal internet so that all staff can access them at any time. Students must be informed that staff will provide them with additional copies of relevant policies upon request."

"Policies will be reviewed once every two years (or as needed). The Superintendent/Principal and at least one member of each department will participate in the review process. Each department will decide who will be involved in the review process. All staff will be notified of the review process and will be given a chance to comment on any suggested changes before they are made to the policies. After the review, all staff will be notified of any changes and trained on any new or substantially altered policies. Staff will also notify students and others affected by the changes." - Excerpt from the Break the Cycle School Policy Toolkit, *Sample School Policy*. Published: 2009: Hazelden.

CHAPTER 2 – CONFIDENTIALITY

INTRODUCTION TO CONFIDENTIALITY

Confidentiality is the commitment of a school community to keep certain information private. Schools regularly keep some types of student information confidential already, including test scores, Individual Educational Plans or health information. Schools keep this information private by sharing it only with others who need to know it, keeping records of it in locked filing cabinets, closing doors when discussing a student or using codes in emails or other electronic communications.

Schools may already be keeping information related to domestic violence, sexual violence, sexual assault and stalking confidential. This chapter gives suggestions as to how to balance confidentiality, mandated reporting and parental access laws, as well as VAWA's confidentiality rules.

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 and sexual violence. Students' distrust of adults, particularly professionals, is a significant obstacle for school employees to overcome in order to implement effective prevention and intervention programs. 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. A culture of confidentiality 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 they communicate information they have gathered, observed, or learned about students.

> **Culture of Confidentiality**
>
> While VAWA requires a level of confidentiality be maintained by any entity receiving VAWA funding, those entities have the opportunity to go further with their own confidentiality policies. Schools and school districts can create a culture of confidentiality by developing confidentiality polices that offer more protection for students. In this way, schools can be youth empowering.
>
> Confidentiality policies are a written codification of the "need to know," recordkeeping, and privacy practices that are already in place in most schools. A strong confidentiality policy addresses what information is kept private, by whom and when the information can or must be shared.

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 survivors of domestic violence, dating violence, sexual assault, and stalking. As a reminder, be aware that following one law may require navigating the requirements of another law. If questions arise about the intersections of these laws, please consult a local attorney or attorney who works with the school or district. Below is a brief summary of some of those laws. **NOTE: This guide is a product of the Technical Assistance Center and is not intended to be legal interpretation or legal advice. This tool is not official guidance from OVW.**

THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013 (VAWA)[1]

- Applies to: All recipients of VAWA grants, including any school who use VAWA money to provide services to student survivors or any community partner who uses VAWA funding to provide services in the school or in the community for survivors.
- Requires entities to: maintain confidentiality of personally identifying information for anyone who *requests or receives services* from a school or district.
- According to VAWA 2013, personally identifying information means: "individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, regardless of whether the information is encoded, encrypted, hashed, or otherwise protected, including— a first and last name; a home or other physical address; contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number); a social security number, driver license number, passport number, or student identification number; and any other information, including date of birth, racial or ethnic background, or religious affiliation, that would serve to identify any individual."[2]

The school or organization cannot: "disclose, reveal, or release individual client information without the informed, written, reasonably time-limited consent of the person (or in the case of an unemancipated minor, the minor and the parent or guardian…about whom information is sought…If a minor or a person with a legally appointed guardian is permitted by law to receive services without the parent's or guardian's consent, the minor or person with a guardian may release information without additional consent." [3]

Please contact the technical assistance providers if you have questions about how this applies to your grantee site.

> **What is an "unemancipated minor"?**
>
> According to the Confidentiality Institute & the National Network to End Domestic Violence:
>
> *"Emancipation" is determined by state law, and teens can be "emancipated" for different purposes (e.g., a 14 year old may be able to consent to receive health care services but not to marry). There is no language in VAWA that identifies a specific age where a parent or guardian's consent is no longer needed. If your state allows programs to provide services to a teenager without a parent or guardian's consent, then the teenager may be allowed to sign her or his own release without a parent or guardian's approval.*
>
> *See: FAQ on Survivor Confidentiality Releases*
>
> **What is a "non-abusive" parent/guardian?**
>
> "Non-abusive" is not defined by VAWA. In determining whether a minor student has a non-abusive parent/guardian available to sign a release, use existing organizational policies and professional training and judgment.

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)[4]

- Applies to: Educational institutions that are recipients of Department of Education funding. All schools must comply with FERPA and organizations working with them must understand FERPA to coordinate their services.

- Requires schools to: Refrain from sharing student's educational records with any person or institution (unless they obtain written permission or an exception applies). FERPA also requires schools to allow parents to access a student's record if they request it.

> FERPA does not require a school to disclose all of a student's personal information to the parent/guardian, just the school record itself. FERPA allows a parent/guardian to make decisions about their child's records until the child becomes an "eligible student" by being 18 or enrolling in a post-secondary school.

- Exceptions to confidentiality requirements:[5]

  o School has obtained written permission from parent or eligible student.
  o School is complying with a subpoena or court order or responding to requirements of a state or federal law.
  o School is disclosing to school officials with legitimate interests, other schools (if student is transferring), officials conducting an audit or evaluation or parties conducting certain studies for or on behalf of the school, to parties who require it to process financial aid for the student, accrediting organizations or appropriate officials if there is a health or safety emergency.
  o School is disclosing "directory" information and has given the parent or eligible student reasonable time to request that the information not be disclosed.

PROFESSIONAL CODES OF ETHICS

Individuals who are attorneys, social workers, nurses, or who belong to other professions that have codes of ethics, may work for schools and community partner organizations. These professional codes of ethics may require licensed staff members to comply with specific confidentiality requirements that are stricter than the general requirements of all staff. Licensed staff members who do not comply with their ethical obligations may lose their license or face liability. For example, the National Association of Social Workers developed a *Code of Ethics* that serves as a guide to the professional conduct of social workers.[6]

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[4] 20 USC § 1232g; 34 CFR Part 99
[5] 34 CFR § 99.31
[6] National Association of Social Workers. (approved 1996, revised 2008). *Code of Ethics of the National Association of Social Workers.* Retrieved from: http://www.socialworkers.org/pubs/code/code.asp

STATE LAWS

State law may also set forth confidentiality requirements for school staff or for victim/survivor advocates. In some cases, these state laws may be more protective than the federal laws for student information that are outlined above. These laws often define eligible advocates, require the advocates to refrain from sharing information about survivors/victims with whom they work, and outline when the advocate must disclose confidential information. This can also include privileges such as attorney/client privilege.

ELEMENTS OF A CONFIDENTIALITY POLICY

Schools and school districts should write a Confidentiality Policy that responds to the needs and rights of students who are survivors of abuse and their parents or guardians. Grantees should also create policies that are as protective as possible of student information and that, at a minimum, comply with VAWA requirements and any codes of ethics for staff with licenses or with designated confidentiality requirements based on state law. The following sections address specific elements and challenges of developing confidentiality policies.

Parent/Guardian Involvement

Parent/guardian involvement in the lives of students experiencing dating violence is desirable. School employees should work together with students experiencing dating violence, sexual assault, or stalking to find ways of involving parents/guardians in ensuring their children's safety. If students choose to notify their parents that they are experiencing violence – which most students will– school employees are urged to assist students to develop a plan for such disclosure, including meeting with students and parents as necessary.

However, if disclosure to a student's parent(s) would threaten the student's health or safety, the school employees should restrict such disclosures to the extent permissible by law. In these cases, school employees should seek the guidance of community-based organizations that provide services to young survivors.

INSTRUCTION ON WHAT INFORMATION WILL BE KEPT CONFIDENTIAL

- Explain what potentially identifiable student information is. Potentially identifiable information includes clear identifiers, such as name and social security number, but can also include information about the student that when aggregated could reasonably lead someone to identify the student (e.g., 16 year old, Asian, lesbian).
- Note differences in the treatment of students who are minors and what information will be disclosed to parents/guardians. Explain what information about a minor student can only be shared with parents/guardians with the minor's consent and what information will be shared with parents/guardians even without consent. Create a policy that is as protective of a minor's privacy as possible while at the same time encouraging healthy and appropriate parental involvement.
- Explain that, unless a detailed exception applies, information must be kept confidential even after the student is no longer receiving services and even after the staff who works with the student leaves the school or when the student leaves the school.

LIST THOSE WHO ARE COVERED BY POLICY

- Note if certain staff (e.g., counselors, nurses, administrative staff, etc.) have additional confidentiality requirements based on the professional ethics rules for the job they currently hold or additional requirements based on other laws or school policies. Include a detailed explanation of each level of confidentiality required for each type of staff member. Also clearly explain procedures that must be followed to segregate information if staff members have different confidentiality requirements so that student information is protected and staff are complying with their professional rules.

> Information that could lead to identifying a survivor could look different in a small rural school or district than it would in a large school or district. Seemingly disconnected pieces of information may lead to identification of a victim particularly if the victim is in a small community.

- Include a statement that working in partnership with individuals from other agencies, even if they are funded by the same grant and are on the collaborative team, does not waive confidentiality requirements.

EXPLANATION OF WHAT KEEPING SOMETHING "CONFIDENTIAL" MEANS

- Include the types of information that can be shared within the school. Limit information sharing even when permitted to assure that student information is only shared when necessary.
- Encourage staff, volunteers and others not to discuss confidential information in public spaces within the school or anywhere outside of the school.

EXCEPTIONS WHEN INFORMATION CAN OR MUST BE DISCLOSED

- Detail when confidential information must be or can be disclosed. Include which staff must or can disclose what type of information, when and to whom.
- Assure that Confidentiality Policies align with Mandated Reporting Policies (Chapter 3) to make a coherent set of policies.

PLAN FOR DISSEMINATING THE POLICY TO STUDENTS

- Include a detailed, developmentally-appropriate explanation of the Confidentiality Policy in the student handbook or online that students can access so that they are aware of how and when, if at all, their information will be shared with parents/guardians or others.

> **Implementation Tip**
>
> Before obtaining a release to refer a student to additional services, consider whether there is a way for the student to get the help they need without the need for a staff person to share the student's information. For example, when making a referral, consider whether the student can make a call to an agency instead of staff getting a release and making the call.

- Remember that some staff may have different professional ethics responsibilities and records may need to be segregated between staff members or departments. Describe who has access to student files and when they have access. Consider the following: other students, staff who do not work directly with students, parents/guardians, etc.

- Include protocols regarding what information about a student is written down and saved, either physically or electronically. Note: If possible, limit the information that is written down about a student's specific experience of abuse when documenting the situation for the student's academic files. This will assure that information that is not necessary for the files, and which might be sensitive for the student, is kept as private as possible.

- Detail where student files are kept when they are in active use. Include guidance about how files are secured while at school (locked file cabinets, password-protected accounts) and what precautions must be taken when files are removed, if ever, from the school or when electronic files are accessed off-site.

- Describe file storage and destruction practices, covering time-limits for storage, and deadlines and processes for destruction. Include information about how students will be notified of these timelines.

- Note any differences in protocol for electronic or physical records and any differences in protocols for different types of student files as these may have different confidentiality considerations. (e.g., academic files, student health files, etc.)

REQUIREMENT FOR INFORMED, WRITTEN, TIME-LIMITED, ACCESSIBLE, UNIFORM, AND DETAILED RELEASES

If someone from the school needs to share information about a student related to their experience of domestic violence, dating violence, sexual assault, or stalking, it is suggested that they get a detailed release before doing so.

> **Implementation Tip**
>
> **Appendix III** includes two sample releases – one to use when you do not need a parent/guardian signature and one to use when you do need a parent/guardian signature.

Note: If staff is complying with VAWA, a release is required before disclosure. Strong confidentiality policies require that releases are:

Informed

- Note in the release that a staff member has explained to the student what the release is, what information will be shared, how and when, and what the consequences of signing or not signing it could be.

Written

- Include what will be shared, how it will be shared, who it will be shared with and when it will be shared in written format and given to the student and staff member to both sign and keep.

Reasonably time-limited

- Err on the side of a short duration that also provides staff enough time to share the released information and sign additional, limited, releases if more information sharing is required. Releases are most protective of student information if they have a short time period (e.g., one week).

Accessible

- Provide a release to a student in the student's primary language. If you do not have a written release available in a student's primary language, or if they primarily communicate using American Sign Language or another visual language, have an interpreter orally or physically interpret your written release and include a certification of translation in the release.

- Create releases that are simple and easy to understand for all readers. When working with a student who does not read, offer to read the release aloud and include a certification on the release stating that it has been read to and understood by the student.

Uniform

- Create releases that are uniform and have free-text boxes and check boxes that allow staff and students to select the specifics of the release (who, when, how, what).

Detailed

- Include information that is detailed and specific. For example, instead of writing: "All information pertaining to student" as the type of information an organization will release, write "Notes pertaining to student counseling sessions provided on 10/12/2012 and 10/14/2012 pertaining to student's efforts to obtain outside counseling services."

EXPLANATION OF WHO CAN AUTHORIZE A RELEASE

- Generally, adults and emancipated minors can authorize releases of their own information. See side box on page 9 for more on what "emancipated" means in this context.
- Policies about releases should contemplate how staff should respond to the release needs of an unemancipated minor who has an abusive parent(s) or guardian(s). VAWA requires that a non-abusive parent of an unemancipated minor must also sign the release.

PROTOCOLS FOR COLLABORATING WITH OUTSIDE AGENCIES

- Require releases signed by the student (and their non-abusive parent, if needed) to share information about students with staff at outside agencies.

Train staff: Educate all staff about the confidentiality policy and how to respond to a student who has disclosed domestic violence, dating violence, sexual assault, or stalking. Share practical tips about how to handle disclosure and what to tell a student who has (or who might) disclose abuse. Remind staff that talking about students in public (hallways, offices with doors open, etc.) may unintentionally share information about a student that could be harmful to the student.

Educate the student body: Inform students about the confidentiality policy so that they know who they can talk to and under what circumstances the information they share with staff will be released to their parent/guardian, law enforcement, child protection services or anyone else.

> State the name of the person to whom the organization will be releasing the information, instead of writing that the release covers disclosures to all staff at another organization. Include the mechanism(s) for release, including in person, over-the-phone, postal mail, email, etc.

Consider creating a stricter "confidentiality bubble": All school staff are within the bubble and have to comply with strict confidentiality requirements. Sharing outside of the bubble (even to others in the district) requires a release. For example, sharing outside the confidentiality bubble could include an outside domestic violence agency or district level administration. However, if staff have different confidentiality requirements (e.g., as imposed by professional ethical duties), clearly delineate groups of staff who can share information within a stricter "confidentiality bubble" without violating the policy, ethical requirements or the law.

Think through practical information sharing: Does your counselor share a printer with other teachers who are outside of a "confidentiality bubble" or just outside the group of who needs to know about a student's experience of abuse? Consider setting the printer to print with a security code or provide a printer that only the counselor uses. Are teacher files password-protected or is information shared across the school? Make sure staff who will save information about student survivors have password- protected accounts and that the permissions set up to view those accounts assure appropriate confidentiality.

Create a simple record of disclosure: Documenting disclosure in a student's file is important and may be required by law. However, recording too much detail in the file may expose a student to having the information shared in ways that are not safe or supportive of the student. Consider creating a form that records disclosures (who, when, what type of abuse experienced, what accommodations are requested, etc.) in check-box or short fill-in-the-blank sections and that does not include much narrative reporting. This form then can be shared, when required (e.g., with parents/guardians, a judge if subpoenaed) without unintentionally harming the student with over-disclosure.

Create procedure that contemplates different levels of confidentiality: Clearly, not all staff will come into the same type of contact with students or have the same need to keep information about students confidential. Consider creating a tiered confidentiality policy that contemplates the different ways different staff will learn of students' abuse experiences. For example, staff may learn of abuse in classroom education, on-on-one counseling, or through observation.

EXAMPLES OF CONFIDENTIALITY POLICIES

"All information concerning a student's status as a victim or perpetrator of dating violence or sexual violence or as the petitioner or respondent of a protection order provided to XYZ School District or its employees shall be retained in the strictest confidence by the District and its employees, except to the extent that disclosure is requested or consented to in writing by the student or is required by applicable federal or state laws. School employees shall refrain from sharing confidential student information with other school employees, students, or community members, unless disclosure is required by law or school policy or is necessary to protect the student's safety. The right to confidentiality extends to disclosures to a minor student's parent(s), unless disclosure is otherwise required by law or school policy."

> - Excerpt from Break the Cycle School Policy Toolkit, *Sample School Policy*. Published: 2009.

RESOURCES ON CONFIDENTIALITY

Julie Field, Esq. of The Confidentiality Institute in partnership with the Safety Net Project of the National Network to End Domestic Violence:

- *Survivor Confidentiality and Privacy: Releases and Waivers At-A-Glance*
  http://www.nnedv.org/docs/SafetyNet/OVW/NNEDV_Releases_AtAGlance.pdf
- *Frequently Asked Questions about U.S. Federal Laws & Confidentiality for Survivors*
  http://www.nnedv.org/docs/SafetyNet/OVW/NNEDV_ConfidentialityReleasesFAQ_2011.pdf
- *FAQ's on Survivor Confidentiality Releases*
  http://nnedv.org/docs/SafetyNet/OVW/NNEDV_ConfidentialityReleasesFAQ_2011.pdf

The Confidentiality Institute:

- *Summary of U.S. State Laws Related to Advocate Confidentiality*
  http://www.confidentialityinstitute.org/goopages/pages_downloadgallery/download.php?filename=13392.pdf&orig_name=field_confidentialitychart_oct2010.pdf&cdpath=/field_confidentialitychart_oct2010.pdf
- *Confidentiality Flowchart/Brochure*
  http://www.confidentialityinstitute.org/goopages/pages_downloadgallery/download.php?filename=14139.pdf&orig_name=trifold_inside-2.pdf&cdpath=/trifold_inside-2.pdf

INTRODUCTION TO MANDATORY REPORTING

Most schools have mandatory reporting policies already in place, yet many of these policies do not contemplate students who have experienced domestic violence, dating violence, sexual assault, or stalking. On the broadest level, the Federal Child Abuse Prevention and Treatment Act (CAPTA) requires each state to set its own standards regarding mandatory reporting, including defining child abuse and identifying mandated reporters. Almost every jurisdiction differs in the actual language of their reporting laws and, thus, schools differ in their mandatory reporting policies. Differences in law and policy include variations on who must report, what triggers the requirement to report, and how the reports must be made.[8] Most jurisdictions condition the requirement of reporting on a person's professional role, such as their role as a social worker or youth worker, and almost all include teachers. Some jurisdictions only require professionals to report when they are acting in their "professional capacity" (e.g., working at a school, providing therapy) and others require any person who suspects child abuse at any time to report it. Some jurisdictions allow certain professionals, like attorneys or clergy, to refrain from reporting if information about the abuse can be considered privileged communication based on a professional code of conduct. **NOTE: This guide is a product of the Technical Assistance Center and is not intended to be legal interpretation or legal advice. This tool is not official guidance from OVW.**

Because most teachers are required to report child abuse, mandated reporting is not a new issue for schools or school policy. Teachers regularly make reports to social services or law enforcement when they learn of students who are being abused by parents or caretakers. Working with survivors of domestic violence, dating violence, sexual assault, and stalking might bring up additional questions or issues for reporting, including correctly following legal requirements to report and fully understanding the sometimes unintended negative impacts of reporting. Please consult local attorneys for a thorough understanding of applicable state laws and a review of school policies.

LEGAL REQUIREMENTS TO REPORT DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

The type of conduct that triggers a mandatory report varies across jurisdictions, but most require reporting after physical abuse, neglect, sexual abuse or emotional abuse of a minor. In some jurisdictions, the definition of child abuse is broad enough to include peer on peer teen dating violence. Some jurisdictions require reporting of domestic violence in a young person's home. Many jurisdictions require reporting of sexual contact with a minor, otherwise known as "statutory rape," even if the sexual contact was consensual.[9] Statutory rape laws vary by

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[7] 42 U.S.C. § 5101 *et. seq.* (2009).

[8] *For more information and state-specific information, see:* Child Welfare Information Gateway, "Mandatory Reporters of Child Abuse and Neglect: Summary of State Laws," April 2010, *available at* www.childwelfare.gov/systemwide/laws_policies/statutes/manda.cfm

[9] *For more information and state-specific information, see:* The Lewin Group, "Statutory Rape: A Guide to State Laws and Reporting Requirements," (Prepared for: Office of the Assistant Secretary for Planning and Evaluation,

jurisdiction and are usually categorized by a minimum age of consent (e.g., it is illegal for anyone to have sex with someone under the age of 18) or by age differentials between the minor and her/his sexual partner (e.g., it is illegal for someone more than four years older than a minor to have sex with that minor) or a combination of both.

Some jurisdictions do not require a report for emotional abuse, dating violence, or consensual sex with a minor while other jurisdictions mandate reporting. As a precaution, the overlap between these requirements is very complex and grantees are strongly encouraged to have legal counsel involved when drafting school policies around these issues. Reporting when it is not required may cause unintended negative harm to the survivor, as discussed below. Over-reporting may also violate confidentiality requirements established by the school or set forward in federal or state law. For example, if the reporter is bound by VAWA confidentiality, there is an exception that allows the reporter to share information about a survivor if done because of the statutory mandate. If the reporter goes beyond the mandate in the law (reporting something that does not need to be reported), they are violating VAWA confidentiality. For example, in a state where a mandated reporting law does not include teen dating violence in the definition of what is reportable as child abuse, and the reporter is bound by VAWA confidentiality, a child abuse report about a teen dating violence incident could violate VAWA. (See **Chapter 2** for more information on VAWA confidentiality.)

UNDERSTAND IMPACTS OF REPORTING

A child abuse report can connect a student with necessary help services and improve his or her safety. Reporting abuse saves lives. However, sometimes reporting abuse, particularly when the abuse is perpetrated by a peer, can cause unintended negative consequences for young survivors.

Many young survivors fear reaching out for help from teachers, school counselors or others out of a worry that the helper will immediately tell their parents/guardians or report the relationship to the authorities, who will then tell their parents. Young survivors may fear their parent/guardian finding out that they are in a dating relationship; dating a specific person; or dating a person of the same gender. They may reasonably fear that their parent/guardian will kick them out of their home or become physically violent with them, particularly if they have been threatened with this before (e.g., "If you start dating before you are 18, I'll punish you so severely that you will never want to date again," or "If I ever find out that you are gay, you are no son of mine, you'll be out on the streets immediately.")

Other young survivors may fear that involvement with the system could lead to their parents/guardians being deported (for students with parents who are undocumented) or being placed in foster care or otherwise taken from their families. In addition, some young survivors may see the potential for a mandated report as a barrier to asking adults at the school for help. Again, while these outcomes are unlikely, some of these fears are grounded in individual's experiences with consequences of state involvement.

Crafting a policy that acknowledges the possible unintended negative consequences of mandated reporting can lead to a better informed student body and school staff. A strong

mandated reporting policy clearly explains how to manage situations where students fear parent/guardian or state involvement, and does not encourage over-reporting.

ELEMENTS OF A MANDATORY REPORTING POLICY

A Mandatory Reporting Policy should clearly instruct staff about their reporting duties and procedure for reporting and should explain a process by which youth students would be alerted about the policy. A Mandatory Reporting Policy should include:

LIST OF ALL STAFF ROLES AND REPORTING REQUIREMENTS

- Cover which staff members are mandated reporters when acting in their professional capacity or at any time. Define what "professional capacity" means.
- Describe any differences among staff types based on any jurisdiction- or licensure-based mandatory reporting requirements for that particular type of professional (e.g., different reporting requirements for teachers or social workers).
- Explain the process to be followed when people who have different reporting requirements work together with the same student.
- Spell out what the reporting duties are if a student discloses abuse to community partners who are conducting services for students in the school while on campus (e.g., prevention education, counseling).

GUIDANCE REGARDING WHAT BEHAVIOR TRIGGERS A REPORT

- Fully explain what behavior is defined as abuse or neglect. Include your jurisdiction's definition of covered behaviors, specifically including what types of abuse are covered (e.g., physical and sexual abuse) and what types of abusers are covered (e.g., only parents/caregivers, only adults or anyone, including minor dating partners). Note whether "statutory rape" is a covered behavior and define what types of sexual activity would be defined as "statutory rape."

PLAN FOR DISSEMINATING POLICY TO STAFF AND STUDENTS

- Train all current staff on their mandatory reporting requirements and include mandatory reporting in new staff training. Immediately notify staff if any changes are made to the policy.
- Outline who must obtain mandatory reporter training and how they will obtain the training. Staff members may be required by your organization or jurisdiction to obtain outside training.
- Include a detailed and developmentally-appropriate explanation of the mandated reporting policy in the student handbook or other student-read material so that students are aware of what will happen if they disclose information that leads to a mandated report.
- If some staff members are exempt from mandated reporting requirements, inform students that they may ask those staff questions about whether their circumstances may yield a report.

DETAIL HOW A REPORT WOULD BE MADE

- Explain the internal process for making a report. Remind staff that the duty for reporting remains with the person who suspects or witnesses abuse, but detail any internal processes that must be followed (e.g., speaking with supervisor) before a report is made. Include information about which staff will be informed of the report after a report is made.
- As safety allows, incorporate notification to and involvement of the student in the reporting process. Include instructions for staff to notify the student that a report will be made and provide the student with detailed information about the potential outcomes of a report.

EXPLAIN STAFF MEMBERS' ROLES FOLLOWING A REPORT

- Explain what the staff members' role will be when interacting with the agency to whom they report and the extent of the staff member's involvement in the investigation process, if any.
- Detail how staff members will inform student of the potential outcomes and next steps for a student following a report.
- Explain the staff member's role in providing support to the student after the report.

TIPS FOR IMPLEMENTATION

Train staff: Educate all staff about changes to the mandated reporting policy. Share practical tips about how to handle disclosure of abuse and what to tell a student who has disclosed, or who might disclose, abuse. If certain types of abuse (i.e., dating violence) are not reportable, make sure that staff knows this. Attempt to obtain informed consent from the student before making the report, but let the student know that the report must be made even if they do not consent. If possible, support the student in making the report themselves or, alternatively, allow for their presence when a staff member makes the report. Detail the standard for circumstances that will trigger a report. Some typical standards include:

- If a staff person suspects or has reason to believe child abuse or neglect has occurred, or
- If a staff person has knowledge of or has observed a child being subjected to abuse or neglect.

Explain the type of information that must be reported. For example, some incidents only require that information about an incident and the outcome be reported, but not personal information about the student. Other incidents require personal information about the student and specifics about the incident be reported. Clearly outline what is required for a report by school staff.

Educate the student body: Inform students about the mandatory reporting of abuse policy so that they know whom they can talk to, about what and under what circumstances the information they share with staff will be released to their parent/guardian, law enforcement officers and agencies, child protection services or anyone else.

Be thoughtful when drafting policy language around mandated reporting: Balance the need for specificity in the policy with the need to determine what to do based on the situation. Depending on the situation, it may be important to be very explicit in a policy about when to make a report.

Below are some resources that provide helpful insight on mandatory reporting policy development:

Child Welfare Information Gateway, *Mandatory Reporters of Child Abuse and Neglect: Summary of State Laws*, 2012:
https://www.childwelfare.gov/systemwide/laws_policies/statutes/manda.pdf

RAINN – Mandatory Reporting of Child Abuse: The Laws in Your State, Current as of 2013
http://rainn.org/public-policy/laws-in-your-state

The Lewin Group, *Statutory Rape: A Guide to State Laws and Reporting Requirements*, (Prepared for: Office of the Assistant Secretary for Planning and Evaluation, Department of Health and Human Services), December 2004:
http://www.lewin.com/~/media/Lewin/Site_Sections/Publications/3068.pdf Tribal Law and Policy Institute:

- *Domestic Violence Laws - Guide for Drafting or Revising Victim-Centered Tribal Laws Against Domestic Violence. http://www.tribal-institute.org/download/Amended%20Domestic_Violence_Code_Resource_2012.pdf*
- *Sexual Assault and Stalking Laws- Guide for Drafting or Revising Victim-Centered Tribal Laws Against Sexual Assault and Stalking http://www.tribal-institute.org/download/Tribal_Lega_%20Code_Resource_Sexual_Assault_Stalking_Laws.pdf*

CHAPTER 4 – SCHOOL-BASED STAFF TRAININGS

INTRODUCTION TO SCHOOL-BASED STAFF TRAINING POLICY

A school policy that mandates staff training for all school employees establishes an expectation that all members of the school community should have a foundation of knowledge about preventing and responding to domestic violence, dating violence, sexual assault, and stalking. 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. All school employees should be able to respond appropriately when they witness or learn of an incident of domestic violence, dating violence, sexual assault, and stalking. This chapter will outline baseline requirements that should be made explicit in a policy mandating annual school-based staff trainings for all staff. Training is a key component of understanding, preventing and responding to disclosures of relationship abuse, sexual assault, and stalking, as well as effectively implementing school policy. Strong training around prevention and intervention helps create an environment that is supportive to survivors and empowering to young people, which in turn fosters disclosures and requests for help. Training is important for all staff because many youth will not go 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 a coach, history teacher or band instructor. Finally, training can also empower staff to fully support students and to feel confident that they can effectively respond if an incident occurs.

There are various state and federal laws that require staff training for all school employees, particularly for mental health staff, counselors and guidance staff, and school administrators. Some states have adopted laws that either require or encourage in-service training to include learning about dating violence, sexual assault, and/or stalking. Other laws hold that school districts must train employees on sexual harassment and acts of violence that would qualify as sexual harassment. Federal courts have held that school districts have a legal duty to train employees when (1) the need for training is obvious and (2) it is highly foreseeable that a student's constitutional rights will be violated if the district fails to conduct such training.[10] **NOTE: Please consult an attorney who specializes in these issues in your state to learn more about your state and federal requirements**.

ELEMENTS OF A STAFF TRAINING POLICY

A school-based training policy should include a requirement that all school employees attend an annual basic training on dating violence, sexual assault, and stalking. The school or district should collaborate with community organizations that specialize in trainings on dating violence, sexual assault, and stalking to implement the annual training, as well as follow-up support and supplemental training during the school year.

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[10] *Plumeau v. School Dist. No. 40*, 130 F.3d 432, 439 n.4 (9th Cir. 1997); *Flores*, 324 F.3d at 1136.

The basic school employee training should include the following topics:

- Definitions of domestic violence, dating violence, sexual violence and stalking
- Recognizing the early warning signs of domestic violence, dating violence, sexual assault, and stalking
- Obstacles to reporting abuse
- Understanding the health and academic impacts
- Understanding trauma including neurobiological impacts on youth
- School-based and community services
- Federal and state confidentiality and reporting requirements
- Responsibilities of school personnel under district's policy concerning witnessing, receiving a disclosure or suspecting that a student has been exposed to violence or is mistreating others
- Online and print resources including classroom curricula, video, discussion guides, websites and other resources addressing dating, sexual, domestic violence and stalking

The policy should require additional in-depth training for those staff members who will be more closely involved in working with student who have experienced or perpetrated abuse. This includes the staff responsible for administering the accommodations, grievance, and disciplinary policies, as well as any staff providing counseling or mental health services. In addition to the topics listed above, these training sessions should include the following topics:

- Theories and dynamics of domestic violence, dating violence, sexual assault, and stalking
- Characteristics of healthy and unhealthy relationships
- Domestic violence, dating violence, sexual assault, and stalking in special populations, including LGBTQ teens and pregnant/parenting teens
- Cultural and developmental competence
- Crisis intervention, lethality assessment and safety planning
- Intersection of domestic violence, dating violence, sexual assault, and stalking and other school safety issues
- Applicable state and federal laws
- School policy and procedures (all school personnel need this)

TIPS FOR IMPLEMENTATION

Keep the policy broad: By writing the policy broadly, schools can maintain some flexibility to switch dates, required attendees or community partners without the need to update the policy.

Partner with community organizations: Many community-based organizations offer free training to school staff on these issues. Consider inviting local organizations to the staff training to present on specific topics or to provide a train-the-trainer to the professional development staff. Staff who will be most closely involved in the administration of the policy may wish to attend the 40-hour advocate training offered by domestic violence service providers and rape crisis centers, which will give them a greater understanding of these crimes. .

Consider developing a specific procedure to ensure appropriate implementation: While it is important to keep the policy requiring staff training broad to make room for potential changes, developing a procedure that directs how often staff should receive training and training content

could help improve implementing staff trainings. Training should target specific groups including school administrators, counselors, teachers, school nurses, coaches, and parent support specialists, and should provide practical knowledge and tools for addressing violence issues for each profession.

EXAMPLE OF STAFF TRAINING POLICY

"XYZ School District is committed to providing training on dating violence and sexual violence to school employees. The District requires that all teachers, counselors, mental health professionals, social workers, and school resource officers receive annual training on the dynamics of dating violence, the relationship between dating violence and other school safety issues, and the school's policies on dating violence. The District will work with schools to provide access to such training, including scheduling and publicizing trainings. Individual schools may work directly with community-based organizations that specialize in teen dating violence and sexual violence to provide trainings specifically targeted to each population. All school employees, including Principals, are encouraged to take advantage of additional training opportunities provided by community-based organizations."

- Excerpt from the Break the Cycle School Policy Toolkit, *Sample School Policy.*
  Published: 2009

CHAPTER 5 – PREVENTION EDUCATION

INTRODUCTION TO PREVENTION EDUCATION

A prevention education policy outlines the school or district's commitment to providing comprehensive prevention education, including developing prevention curricula, addressing after school programs and other engaging activities. Prevention education may include youth-led positive social-norming strategies that address engagement through pop culture, technology and on-going embedded messaging within a wide variety of classroom assignments and activities. The policy can also address students' involvement in development, review and implementation of prevention education programming.

Classrooms, extra-curricular activities and sports locker rooms provide opportunities for student education on domestic violence, dating violence, sexual assault, and stalking. Educators, administrators, school staff members and coaches also have opportunities to model and to promote positive expectations for healthy relationships for the students in their school or district. Prevention education must begin in early adolescence, when peer influence, community and societal behaviors, and norms are the most impactful. Modeling and promoting healthy relationships can prevent abuse by teaching youth the skills they need to negotiate boundaries in relationships. These issues can be addressed in core subject areas such as English, Government, Social Studies and Heath as well as integrated into creative arts programming, youth leadership opportunities and extra-curricular activities. 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.

Many states have laws or administrative rules that mandate or encourage schools and districts to implement prevention education programs for all students. A list of these states and their legal requirements is in **Appendix II.** Even if not required under state law to do so, every school and district should develop a policy that requires prevention education for students, parents/caregivers and staff. Prevention education strategies should be developed in accordance with each school's curricula and school and community needs. Schools should use a variety of prevention education strategies.

ELEMENTS OF A PREVENTION EDUCATION POLICY

Schools and districts should develop a policy that states why prevention education is important and requires a school or district implement some form of prevention education for students. The policy can be a simple statement that mandates a school or district conduct prevention programming for students. For example, a prevention education policy could state: "School districts shall incorporate age-appropriate education that that promotes healthy adolescent relationships into the annual health curriculum framework for students in grades seven (7) through twelve (12)." This could be the entirety of the policy, as long as there were procedures for implementation that accompanied it.

A policy could also be more detailed; a school or district may want to include a timeline and targets for students participating in prevention education. However, it can be useful not to require a specific curriculum or prevention education strategy in the policy because prevention education needs may change over time. To ensure flexibility, a policy could include a list of possible topics of prevention education.

These topics could include, but are not limited to:

- Skill-building and characteristics of healthy relationships, and promotion of positive relationship norms;
- Warning signs/characteristics of unhealthy relationships, challenging gender roles and other norms that support abusive behavior;
- Bystander (and/or upstander) intervention;
- Peer support: how to help friends and family;
- Dating violence, sexual assault, and stalking theories and dynamics;
- Digital citizenship; responsible and respectful digital communication;
- Developing youth leadership and youth-generated content for prevention education;
- Using the arts to inspire and influence social norms; and
- Using pop-culture to educate and shape positive social norms.

> **Definitions**
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> **Bystander:** A bystander is generally understood as someone who stands by and does not act when witnessing relationship abuse. An active bystander is someone who sees troubling behavior and intervenes in some way to assist the potential victim. Effective bystander intervention requires having knowledge of what to do when seeing various types of inappropriate or violent behaviors.
>
> **Upstander:** "An individual, group, or institution that chooses to take a positive stand and act on behalf of themselves and others" –Facing History In Ourselves, included in Start Strong Boston Workshop Guide entitled: "Moving from a Relationship Bystander to a Relationship Upstander."

TIPS FOR IMPLEMENTATION

While it can be fairly straightforward to develop a student education policy, implementing the policy can be more complicated. Effective long-term planning is critical for ensuring the success of prevention efforts. There are various ways to incorporate prevention education into the school day and after-school hours. School staff can turn situations that occur among students, in the media, or in the community into informal educational opportunities to promote healthy relationships. However, it is not advisable to use a situation involving known students as this could have negative consequences for the actual students and families involved and result in increased violence or harassment. It is generally safer to use existing educational curricula, pop culture, video, discussion guides, and other resources to start a dialogue and to teach important relationship skills, as well as proactive bystander skills in the classroom. School and district staff can also model and reinforce positive examples of healthy communication. Schools can utilize after-school time, study halls or lunch breaks to bring students together to receive training on being peer educators or activists; these groups may be led by students, school employees or community-based organizations. Theatre and other creative arts can be effective strategies for engaging youth in prevention education. Provide the opportunity for youth to explore the impact of violence and abuse in their own lives and to create scripts, poems, songs, public service announcements, art, film and other media to express themselves and influence their peers. Youth-driven activities and youth-generated content can be powerful influencers and have the

added benefit of being culturally and developmentally relevant, attractive and accessible to teens in a particular school or community.

There are other school and district policies that should be integrated into, or referenced as part of, a policy requiring prevention education. A comprehensive and integrated set of school or district policies will make it easier for staff to understand and follow the policies. Additionally, prevention education goes beyond the classroom and can implicate or impact other aspects of a young person's help-seeking process.

The following policies and procedures related to dating violence, sexual assault or stalking should be linked to a student education policy:

- Students' role in policy development, review and implementation.
- Students' role in grievance, disciplinary and accommodation processes.
- Confidentiality and notification of parents/guardians when a student discloses some form of dating violence, sexual assault, or stalking.
- Confidentiality and notification of Child Protective Services when there is a disclosure of abuse that must be reported as child abuse under state law.
- Students' role in assessment of school climate and safety
- Students' role in generating prevention education messages, campaigns and/or events
- Students' role in delivering prevention education

EXAMPLES OF PREVENTION EDUCATION POLICY

Prevention

"The principal of each school shall ensure that students and staff are instructed on how to identify, prevent, and report bullying, teen dating violence, and sexual violence. The principal shall also ensure that the school health program and counseling services include the appropriate social skills training to help students avoid isolation and help them interact in a healthy manner. School staff shall model correct and courteous behavior to each other, to students, parents, and to visitors. Abusive or humiliating language or demeanor shall not be accepted. The staff shall ensure that each student is known by a teacher that the student can turn to if abuse develops. To the extent possible, the influence of cliques and other exclusive student grouping shall be diminished by the creation of inclusive school activities in which all students are encouraged to participate."

Student Education

"On-going age-appropriate education on healthy relationships shall be provided to all students in grades K-12, with specific instruction relating to teen dating violence taught yearly in grades 7 – 12. Per the *Lindsay Ann Burke Act* this curriculum shall include, but not be limited to, defining teen dating violence, recognizing dating violence warning signs and characteristics of healthy relationships. Additionally, students shall be provided with the school district's bullying, teen dating violence, and sexual violence prevention policy. Upon written request to the school principal, a parent or legal guardian of a pupil less than eighteen (18) years of age, within a reasonable period of time after the request is made, shall be permitted to examine the health education instruction materials at the school in which his or her child is enrolled."

Social Norms Change

"School staff will always model correct and courteous behavior to each other, to students, and to visitors to the school. Abusive or humiliating language or demeanor will not be accepted. An effort will be made to ensure that each student is well known by at least one certified teacher so that the student will have someone to turn to at school if a situation of bullying, dating violence, or sexual assault develops. To the extent possible the influence of cliques and other exclusive student groupings will be diminished by the creation of a range of inclusive school activities in which students will be encouraged to participate."

- Excerpts from: A Guide to Preventing Bullying, Teen Dating Violence, and Sexual Violence in Rhode Island Schools, 2009

"XYZ District is committed to educating its students about dating violence and sexual violence. Schools are required to incorporate prevention education in their curricula for students in grades 7 through 12. Whenever possible, this information shall be presented in conjunction with information about related health and life skills topics. Schools are encouraged to develop community resources to accomplish this goal, particularly those that have already undergone necessary District screening processes."

-Excerpt from Break the Cycle School Policy Toolkit, *Sample School Policy*. Published: 2009.

RESOURCES ON PREVENTION EDUCATION POLICY

Appendix III – School Policy to Prevent Handout, Developed for the STEP Policy Institute

Appendix IV – Multi-faceted Prevention Planning Tool, Developed for the STEP Prevention Institute

CHAPTER 6 – DISCIPLINARY POLICIES AND PROCEDURES

INTRODUCTION TO DISCIPLINARY POLICIES AND PROCEDURES

All schools and districts already have some form of a student disciplinary policy in place. However, many current policies do not adequately take into account the specific needs of student survivors of domestic violence, dating violence, sexual assault, or stalking and students who have engaged in abusive or violent behaviors. A disciplinary policy that does not address these needs will do a disservice to the young people involved and to the school community. Schools should utilize existing procedures when possible, but should first evaluate these procedures to ensure that they meet the unique needs of students involved in incidences of domestic violence, dating violence, sexual assault, and stalking. Effective and empowering disciplinary frameworks will be survivor- and youth-centric, fair and equitable for all students.

ELEMENTS OF A DISCIPLINARY POLICY OR PROCEDURE

A disciplinary policy that is responsive to domestic violence, dating violence abuse, sexual assault, and stalking should include**:**

- Definitions of domestic violence, dating violence, sexual assault, and stalking as well as a statement that these behaviors are prohibited.
- An understanding that abuse often occurs in a pattern made up of a series of actions, which alone may not rise to the level of an infraction. The policy should allow for the series of actions to be treated as one incident for purposes of discipline when appropriate.
- Procedures for involving the student victim of an incident of domestic violence, dating violence, domestic violence, sexual assault, or stalking in the disciplinary process and for notifying the student victim of the outcome of the process
- Age- and developmentally-appropriate interventions for students who have engaged in abusive or violent behavior.
- Procedures that ensure safety for the student victim of abuse.
- Reasonable timeline for decisions as well as appeals.

Disciplinary actions against students who have engaged in abusive or violent behavior may be initiated by a school employee witnessing an incident of abuse or by a school employee receiving a complaint from or made by another student. It is recommended that schools have a grievance procedure in place for students to notify the school of a violation of the student code of conduct, in particular for students who have been the victim of domestic violence, dating violence, sexual assault, or stalking and who wish to initiate disciplinary proceedings against the student offender.

All schools are required under Title IX to have a student grievance procedure already in place for a student victim to make a complaint of sexual assault or sexual harassment.[11] While Title IX does not extend to all forms of domestic violence, dating violence or stalking, it may be useful

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[11] Recipients must adopt and publish internal grievance procedures to promptly and equitably resolve complaints alleging discrimination on the basis of sex in its education programs or activities. See 65 Fed. Reg. 52867 at § .135(b)

for schools to use the same process for domestic violence, dating violence and stalking 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 victims of abuse are being taken seriously and are supported equally.

EVALUATING DISCIPLINE POLICIES AND PROCEDURES

STUDENT GRIEVANCE PROCEDURES

While there is no federally required structure for student grievance procedures, the U.S. Department of Education Office for Civil Rights (OCR) recommends that schools develop and use grievance procedures that specifically meet the needs of the student who has made the allegation of sexual harassment or sexual assault. The following questions are useful when evaluating an existing student grievance procedure to ensure that it is youth- and survivor-centric with a focus on empowerment.

- Can a student survivor file a grievance without parental involvement? If not, is the policy clear on how and when a parent/guardian must be notified or involved?
- Can a student survivor file a grievance to request a disciplinary action against another student who has been abusive?
- Can a student file a grievance orally or in writing? Can s/he make it to any school employee?
- Does the school have a process for carrying out the requirements of a civil protection order or criminal stay away order issued against a student?
- How is the privacy of the student survivor protected (to the extent possible) during the grievance and disciplinary process?

STUDENT DISCIPLINARY POLICIES

When revising existing disciplinary policies, consider the following key questions that address the core values outlined in Chapter 1.

First, schools and districts should create disciplinary processes that hold students who have been abusive appropriately accountable and provide early interventions. Consider the following questions when reviewing disciplinary policies:

- Does your disciplinary process specifically prohibit dating violence? Domestic violence? Sexual assault? Stalking? How are these terms defined?
- Is sexual assault separately defined from sexual harassment? Sanctions and discipline should be applied differently for these different behaviors.
- If dating violence is prohibited, does the definition include a pattern of abusive behaviors that may not be prohibited as single actions?
- Does your policy take into consideration the history of the students' relationship when an incident of abuse is alleged?
- Does your disciplinary policy include early interventions for students who are exhibiting problematic behavior that falls short of prohibited behavior?
- Does your disciplinary process create appropriate sanctions that are distinct from other actions?

Second, a school or district should create disciplinary processes that offer survivors meaningful and safe opportunities to engage in the disciplinary process. Consider the following questions when reviewing disciplinary policies:

- How does a student who has survived abuse participate in the disciplinary process? Is a survivor allowed or required to testify or to provide a written account? Is the survivor allowed to have his/her parent/guardian or an attorney or advocate present?
- How is the survivor notified of the outcome of a disciplinary process? Does a survivor have a right to appeal a decision or otherwise ask that it is reconsidered?
- Does your code of conduct include a statement of victim/survivor's rights?
- Does your process ensure that the student survivor and the student who has perpetrated abusive behavior are met with separately?
- Does your policy have a clear process for handling investigations and information gathering meetings with complainants? (Your policy should not allow for peer mediation or restorative justice in cases of dating violence, sexual violence or stalking)
- Does your policy create a consistent process for documentation and response, including appeals to findings of alleged incidents of abuse? Is there a consistent policy at the district level?
- Does your policy address training for all staff involved in intervention and response to an incident?

TIPS FOR IMPLEMENTATION

Choose the appropriate staff: Designate a school employee who has received extensive training on domestic violence, dating violence, sexual assault, and stalking to review the policy. This could be the Title IX coordinator or another employee.

Support the student survivor: Although the disciplined student is the focus of the process, it is vital to ensure that the student victim is supported throughout the disciplinary process. Consider appointing a victim advocate or peer counselor to help the student survivor navigate the grievance process.

Consider the unique dynamics of abuse: 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.

Don't reinvent the wheel: If your school already has a strong grievance procedure, the same grievance procedure can be used for all domestic violence, dating violence, sexual assault and staking incidents, as well as any peer to peer abusive or harassing behavior. In this case, the alleged offender should not be notified of the complaint or included in any way.

Train all staff: Ensure that the Title IX coordinator and all staff members involved in the grievance process are well trained on the dynamics of domestic violence, dating violence, sexual assault, and stalking 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.

Notify and educate parents/caregivers: While all new policies that are implemented in a school or district should be explained to parents/caregivers, policies that address these sensitive topics should be the focus of education and training for all parents/guardians.

RESOURCES ON DISCIPLINARY POLICIES AND PROCEDURES

The Positive Behavior Intervention Support (PBIS) disciplinary framework is a strong framework for a survivor- and youth-centric disciplinary policy. PBIS is based on a similar set of beliefs as the core values presented in the introduction to this tool and is organized around prevention, tiered support, and data-driven decision making.[12] Start Strong, a national initiative funded to evaluate best practices in prevention of dating abuse, developed a disciplinary matrix that drew from the PBIS model and merged it with discipline of dating violence. See **Appendix VI** for this matrix.

The Department of Education's guidance document, "Title IX Grievance Procedures: An Introductory Manual," (available by request at: http://www.ed.gov/offices/OCR/publications.html)

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[12]   The National School Climate Council recommends using a survey of all stakeholders – school leaders, teachers and other staff, students and parents - to forge a common vision for a school. Survey questions should seek stakeholders' views on healthy relationships and interpersonal safety as well as intellectual, ethical, civic and other aspects of student life. National School Climate Council (2007). *The School Climate Challenge: Narrowing the Gap Between School Climate Research and School Climate Policy, Practice Guidelines and Teacher Education Policy*. See www.schoolclimate.org/climate/policy.php.

CHAPTER 7 – ACCOMMODATING STUDENT SURVIVORS

INTRODUCTION TO ACCOMMODATIONS

An accommodations policy outlines the remedies that a school offers to student survivors of abuse to protect the survivor's safety, educational opportunities and emotional well-being. The accommodations policy and related procedures are counterparts to the school'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.

As stated at the beginning of the policy guide, there are three main goals of any school policy addressing domestic violence, dating violence, sexual assault, and stalking – survivor and youth empowerment, school safety and improved collaboration. Accommodating survivors of abuse serves all of these goals by creating a structure that allows survivors to request the kind of help they need to ensure their safety. 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.

Although many schools already work with student survivors to accommodate their safety needs, developing a policy around accommodations allows for greater consistency among student survivors, as well as better guidance for staff that are responsible for carrying out accommodations.

Federal law mandates accommodation for the kinds of abuse that fall under the control of Title IX. Title IX regulations require that each educational institution has a written policy and protocol for responding to sexual harassment.[13] Failure to adopt and implement policies on sexual harassment can expose school districts to civil liability under Title IX.

Court orders may also require certain accommodations be made in order to protect the safety of victims of abuse. These include civil protection orders or restraining orders that require a perpetrating student to stay a certain number of feet away from a student survivor. In order to ensure that the court order is followed, the school would need to make some accommodations, such as changing class schedules or transferring a student to another school.

DEVELOPING AN ACCOMMODATIONS POLICY

When developing an accommodations policy, look to what you are already doing and focus on survivor safety and empowerment when thinking through the framework of the policy. Most schools do not already have a specific accommodations policy, but many have identified strategies woven into existing disciplinary policies or grievance processes. Many schools are already providing accommodations to survivors informally even if they do not have a policy that guides the process.

Accommodations encompass a variety of remedies, procedures and other changes to support a survivor of abuse. In order to ensure that the policies are supportive of youth and survivors and

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[13] *See* 34 C.F.R. § 106.31 (2007).

are consistent with your disciplinary policy and grievance procedures, ask the following questions:

- Does your school already account for the needs of student survivors (e.g., schedule changes, leave to meet with counselors, excused absence for classes missed due to abuse, or school transfer)?
- Can a student survivor request accommodations from the school without involving their parent/guardian? If not, is there a clear process for involving/notifying the parent/guardian?
- Can the parent/guardian request accommodations with the student's consent? Without the student's consent?
- Can a student request accommodations without being required to also file a grievance against or name the offender? If the student does not want to file a grievance, how does your policy safely and supportively involve the student in an investigation?
- Can a student make the request for accommodations orally or in writing? Can s/he make it to any school employee?
- Does your school have a procedure for carrying out civil protection or criminal stay away orders issued for or against a student?

ELEMENTS OF AN ACCOMMODATIONS POLICY

An accommodations policy can be an important part of a survivor's everyday healing process. What your school is capable of providing may depend on resources and infrastructure. The elements below provide a baseline approach to developing this policy.

PROCEDURE FOR REQUESTING ACCOMMODATION

Establish a process by which a student survivor can request accommodations from the school. In order to create maximum accessibility for survivors, the process should allow for requests orally or in writing and should allow a request to be made initially to any school employee. The request may then be made formally to the designated staff member. The process should be rooted in an understanding of the student's experience of trauma and designed to minimize the burden on the survivor.

The policy should establish 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.

The request process should include what type of information must be included in the request and what qualifies a student for an accommodation. It is recommended that any student who has been the victim of actual or threatened domestic violence, dating violence, sexual assault, or stalking be eligible for an accommodation, based on school resources and capacity.

If the requested accommodation implicates the alleged offender's rights, then it is likely that the request should go through the disciplinary grievance process instead. If the request for accommodation indicates to the school that an investigation is warranted, the policy should ensure that the student survivor is involved safely and supportively.

PARENT/GUARDIAN INVOLVEMENT

Describe when and how to involve the survivor's parent/guardian in the accommodations process, beginning with the initial request. Also describe if there are any circumstances where parents/guardians do not need to be notified, unless requested by the student. Cross reference this section of the policy with the overall confidentiality policy.

A NON-EXCLUSIVE LIST OF OPTIONS FOR ACCOMMODATION

A list of possible accommodations is helpful for student survivors to determine what accommodations to request. The list should include changes to class schedule, activities and clubs; make-up class work or excused absences for court appearances or support services; school transfer or alternative education plan and assistance with court orders. The list should not be exhaustive to allow for flexibility of response and to allow for creative solutions. Every accommodation option should balance school resources with the survivor safety, the survivor's access to quality educational opportunities, and the survivor's ability to end an abusive relationship.

A STATEMENT ON CONFIDENTIALITY

Due to the sensitive nature of accommodation requests, and the need to encourage students to make requests when they need them, confidentiality is crucial. The policy should limit discussion of requests for accommodation to only school employees involved in the request or necessary to carry out the accommodation.   At no time should the alleged offender be notified of the request for accommodation and the disposition of the accommodation

PROTECTIONS FOR STUDENTS SEEKING ACCOMMODATION

The policy should not place additional burdens on a student survivor by requiring her/him to seek a civil protection order, pursue criminal charges or file a disciplinary grievance. Access to support services on campus can help students increase physical safety and social support at school. This could include individual counseling sessions and/or group sessions with students who share similar experiences. Seeking help takes courage and often involves risk. Counseling and support services can help students gain courage and reduce social isolation, thereby increasing their safety and social support on campus. These services can be provided by school counselors, nurses, or social workers or in collaboration with community service providers.

TIPS FOR IMPLEMENTATION

Develop an integrated policy: It may be beneficial to develop a policy that incorporates discipline, grievances, and accommodations. These processes are interrelated and it may be more efficient for the school to consider them together, both in developing and implementing the policy.

Safely involve parents: Provide training to the staff responsible for administering accommodations to ensure that they are able to safely and appropriately notify non-abusing

parents/caregivers. Training should also include how to make the determination about when parental involvement would endanger a student.

Create a tiered system: Consider creating 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.

Safely involve student survivor: 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.

EXAMPLE OF AN ACCOMMODATION POLICY

"Any student who has been a victim of dating violence or sexual violence may request accommodation from the school in order to preserve his/her access to meaningful education and safety on campus. Accommodations impact the school enrollment, participation, or environment of only the student experiencing dating violence or sexual violence. Changes to an alleged perpetrator's school enrollment, participation, or environment must be made through the complaint procedure described below. Requests for accommodation may be made orally or in writing to any school employee or directly to the appropriate Advocate. School employees shall refer all requests for accommodation to the Advocate. If the request is made orally, the Advocate shall document the request in writing. The Advocate shall confer with the Principal and provide a written decision to the requesting student as soon as possible, but in all cases a decision must be made within five business days of the request. A denial to a request for accommodation must include the reasons for the denial.

All requests for accommodation under this section shall be kept strictly confidential. It is the responsibility of the Advocate to notify the student's teachers when an accommodation impacts their classrooms. At no time shall the Advocate notify the alleged perpetrator of the student's request for accommodation, nor shall the Advocate require the student to pursue a complaint against the alleged perpetrator through the school complaint process or the criminal justice system.

All accommodations under this policy are voluntary; a student may choose to decline or rescind any accommodation at any time by notifying the Advocate. The student shall not be subject to any retribution or disciplinary action for such decision and shall not lose the right to request and receive future accommodations."

-Excerpt from Break the Cycle School Policy Toolkit, *Sample School Policy.* Published: 2009.

CHAPTER 8 – SCHOOL STAFFING

INTRODUCTION TO SCHOOL STAFFING

Staffing policies and requirements will differ by school and district, but there are certain key roles that should be filled in order to prevent and respond to domestic violence, dating violence, sexual assault, and stalking. These roles do not have to be filled by staff who have been hired to implement these policies. Depending on the budget and staffing resources available, the roles may be held by current staff, new staff, volunteers or some combination of these. Each role could be a full-time job, but if resources do not allow this, one person may fill more than one role.

ELEMENTS OF SCHOOL STAFFING

In addition to the following district-level positions, it is helpful to have a designated person on each campus to respond to incidents and disclosures of violence or abuse among students. Having a clear understanding of staff responsibilities and staff positions can ease the process of policy development and implementation. Assigning these responsibilities to a specific role can provide accountability and an expert for other staff members to use as a resource.

Primary Prevention Coordinator: This position develops and manages the prevention programming for the school and district. Some state laws require or allow for this position in schools, or have made this part of the job of a state mandated school health coordinator.[14] The Primary Prevention Coordinator should be knowledgeable in the best practices for prevention education, including available classroom curricula, service-learning programs, youth engagement strategies and positive social change strategies.

Student Advocate: This position, which may be filled by a district's Ombudsman or similar position, is responsible for supporting survivors of abuse during the grievance, disciplinary or accommodations process. The Student Advocate does not have any role in decision-making; their responsibility is to educate students and families about the process and advocate for the rights of the survivor when necessary. This position may also be responsible for educating the student population about the school's policy and students' rights under the policies and for collaborating with community partners to increase access for students to support services at school or in the community.

Title IX Coordinator/Policy Coordinator: This position is mandated by federal law and will already exist in schools and districts.[15] All Title IX coordinators should be notified of their position and trained to fill their duties under the federal law. Many schools consider this position purely administrative, but it is recommended that the person holding the role of Title IX Coordinator also play a role in reviewing the school's policies around domestic violence, dating violence, sexual assault, and stalking and ensuring that the policies are being followed as intended. The Coordinator should receive extensive training in all areas of abuse, harassment and discrimination. This will ensure an integrated approach to policy implementation and a

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[14] http://nasbe.org/healthy_schools/hs/bytopics.php?topicid=6110

[15] Under the Title IX regulations, a recipient <u>must</u> designate at least one employee to serve as its Title IX coordinator. <u>See</u> 65 Fed Reg. 52867 at § .135(a).

knowledgeable staff person overseeing the policy. This position may also be responsible for educating administrators, caregivers and the student population about the school's policy and students' rights under the policies.

School Resource Officer: This position works with school administrators to enforce the school disciplinary policy and also serves as the liaison with the law enforcement community. The School Resource Officer can assist survivors in developing school safety plans and work with administrators to carry out civil protection orders, if available. This position may also be called a school safety officer, campus police officer or another name. In some districts school resource officers also go into the classroom to educate students on safety and violence prevention issues.

Accommodations and Grievance Administrator: This position is responsible for receiving grievances and requests for accommodation, conducting investigations, and making decisions (or recommendations) for disciplinary action and accommodations. In some districts the Title IX Coordinator receives all notifications of abuse or harassment and manages all requests for accommodations.

Appeals Officer/Hearing Board: This position or group is responsible for receiving appeals of disciplinary actions and denials of requests for accommodation.

Professional Development Coordinator: This position is responsible for overseeing the training of all school employees on domestic violence, dating violence, sexual assault, and stalking. The Coordinator may be responsible for developing and facilitating trainings or may collaborate with community organizations to conduct trainings.

RESOURCES

Appendix II – List of state laws

Resource - The National Conference of State Legislatures has compiled an updated list of recent legislation by state around prevention education and requirements for schools. A table of this information can be found at this web address: http://www.ncsl.org/issues-research/health/teen-dating-violence.aspx.

APPENDICES

Appendix I: Sample Definitions from Break the Cycle's School Policy Toolkit

Appendix II: Current State Laws

Appendix III: School Policy to Prevent Handout, Developed for the STEP Policy Institute

Appendix IV: Multi-faceted Prevention Planning Tool, Developed for the STEP Prevention Institute

Appendix V: Sample Releases, National Network to End Domestic Violence and the Confidentiality Institute

Appendix VI: Start Strong Disciplinary Matrix

APPENDIX I – SAMPLE DEFINITIONS

<u>Accommodation</u>: change/modification to a student's school enrollment, participation or environment, which increases access to meaningful education/safety for a student experiencing violence.

<u>Cultural competence</u>: 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 and groups.

<u>Dating partner</u>: any person, regardless of 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.

<u>Dating violence</u>: the use of abusive behaviors by a person to harm, threaten, intimidate or control a current or former dating partner. Dating violence includes but is not limited to:

> <u>Physical abuse</u>: 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.

> <u>Emotional abuse</u>: the intentional infliction of mental or emotional distress by threat, coercion, stalking, humiliation, or unwanted other verbal or nonverbal conduct.

> <u>Sexual abuse</u>: 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.

> <u>Technology abuse</u>: 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.

<u>Harassment</u>: a pattern of intentional behavior, directed at a specific person, intended to annoy, alarm, or cause emotional distress for no legitimate purpose.

<u>Parent</u>: parent, legal guardian, or other adult acting *in loco parentis* of a child enrolled in XYZ District.

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

<u>Protection order</u>: a civil or criminal 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.

<u>Safety plan</u>: an individualized set of actions, strategies, and resources that addresses a student's safety with regard to dating violence or sexual violence.

<u>Sexual violence</u>: sexual assault or abuse 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 and is or has been in attendance, or is eligible to enroll, at any XYZ District school.

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

These sample definitions were developed as part of Break the Cycle's School Policy Toolkit, Break the Cycle 2009.

Arizona

Arizona law states that a school district board may "proscribe and enforce policies and procedures to address incidents of dating violence." Ariz. Rev. Stat. § 15-342.02. A school district that provides instruction may include dating abuse information that is age appropriate for grades 7-12, including a definition of dating abuse, how to recognize dating abuse warning signs, and characteristics of healthy relationships. Ariz. Rev. Stat. § 15-712.01

California

While California has no currently enacted legislation on teen dating violence education, several bills are pending. Up to date information regarding these bills is available at: http://www.ncsl.org/issues-research/health/teen-dating-violence.aspx.

Connecticut

In Connecticut, teachers must be given information about teen dating violence and domestic violence. The State Board of Education shall "assist and encourage" boards of education to include domestic violence and teen dating violence information as a part of in-service trainings. Conn. Gen. Stat. Ann. § 10-220A(a).

Delaware

Delaware requires school districts and charter schools serving grades 7-12 to add comprehensive healthy relationships programming as a part of student health classes. At a minimum, the programming must include definitions of teen dating violence and sexual assault, guidelines on mandatory reporting, and protocol for responding to incidents of teen dating violence. 14 Del. C. § 4112E.

Florida

In Florida, the health education curriculum for grades 7-12 must include a teen dating violence component that includes the definition of teen dating violence and abuse, warning signs, characteristics of a healthy relationship, measures to prevent dating violence, and community resources that are available to victims. Fla. Stat. Ann. § 1003.42(2)(n).

Georgia

The Georgia Board of Education must develop a program for preventing teen dating violence for students in grades 8-12, and local boards may implement the program at any time for any grades they deem appropriate. Ga. Code Ann. 20-2-314.

Illinois

In Illinois, teen dating violence may be included in the curriculum for grades 8-12. 105 Ill. Comp. Stat. 110-3

Indiana

In Indiana, the Department of Education shall identify or develop model dating violence educational materials and a model dating violence response policy. The Department shall make the models available and assist with implementing programs in grades 6-12. Ind. Code Ann. § 20-19-3-10. The guidance may be found at http://www.doe.in.gov/sites/default/files/student-services/guidance-document-1.pdf.

Louisiana

Each public school in Louisiana shall provide classroom instruction on dating violence in an age appropriate manner for students in grades 7-12. The instruction must include a definition of dating violence, warning signs, and characteristics of a healthy relationship. La. Rev. Stat. Ann. § 17:81(T).

Maryland
In Maryland, the State Board must "encourage the county boards to incorporate age-appropriate lessons on dating violence." Md. Code Ann., Educ. § 7-411.1.

Massachusetts
Each school district in Massachusetts must implement a specific policy and discipline code to address dating violence. The policy must state that dating violence will not be tolerated and guidelines for addressing alleged incidents. The policy must include defining teen dating violence, warning signs, issues of confidentiality, safety, and appropriate legal school-based interventions. Mass. Gen. Law Ann. 71 § 2C

Nebraska
The law in Nebraska states that each school district shall incorporate age-appropriate education about dating violence in the curriculum. It must include a definition of dating violence, recognizing warning signs, and identifying characteristics of a healthy relationship. Neb. Rev. St. 79-2,142.

New Jersey
A board of education in New Jersey may include instruction on domestic violence, which should enable students to understand the dynamics of dating violence, the relationship of drugs and alcohol to violence, the relationship to animal abuse and such violence, and to learn methods of non-violent problem solving. N.J. Stat. Ann. 18A:35:4.23.

New York
While New York, at the time of this publication, has no current legislation regarding dating violence education, several bills have recently been introduced. The status of that legislation can be tracked at http://www.ncsl.org/issues-research/health/teen-dating-violence.aspx.

Ohio
Health education in Ohio shall include instruction on recognizing dating violence warning signs and characteristics of healthy relationships. Oh. Rev. Doe Ann. § 3313.60(A)(5)(e).

Oregon
Each school district board in Oregon shall adopt a policy that prohibits teen dating violence, incorporates age-appropriate education about teen dating violence in training programs for students in grades 7-12, establish procedures for how school employees should respond to reports of dating violence, identifies school officials who are responsible for receiving reports, and notify students and parents of the dating violence policy. 2012 Or. Laws Ch. 69.

Pennsylvania
The Department of Education in Pennsylvania must develop a model dating violence policy, and each school district in Pennsylvania may develop a specific policy. 24 Pa. Stat. Ann. § 15-1553.

Rhode Island
According to Rhode Island law, the Department of Education will develop a model dating violence policy, and each school district shall establish a specific policy to address incidents of

dating violence. The policy must include a statement that dating violence will not be tolerated, reporting procedures, guidelines to responding to incidents, and discipline procedures. R.I. Gen. Laws. § 16-21-30. The model policy is available here:
http://www.ride.ri.gov/commissioner/edpolicy/documents/20080401_guidebullyingtdv_v1_kr.pdf

Tennessee
Tennessee law urges the state Board of Education to develop a sexual violence awareness curriculum which should include instruction on teen dating violence. Tenn. Code Ann. § 49-1-220.

Texas
Each school district in Texas must implement a dating violence policy that includes a definition of dating violence, and addresses "safety planning, enforcement of protective orders, school-based alternatives to protective orders, training for teachers and administrators, counseling for affected students, and awareness education for students and parents." Tex. Ed. Code § 37 0831.

Virginia
Curriculums in Virginia must include "dating violence, the characteristics of abusive relationships, steps to take to avoid sexual assault, and the availability of counseling and legal resources, and, in the event of such sexual assault, the importance of immediate medical attention and advice, as well as the requirements of the law." Va. Code Ann. § 221.2-207.1

Washington
In Washington, a model policy on family preservation education that includes instruction on domestic violence and dating violence shall be made available to each of the school district's board of directors. Wash. Rev. Code § 28A.300.185.

Collaborate with parents, students, school personnel to develop definitions of key terms that will be used in your school policy.

- Are key terms like *healthy adolescent relationships, unhealthy adolescent relationships, abusive dating relationships, sexual assault, and stalking* (including the use of *technology*) defined in your policy?
- Are key terms used in your policy in student-friendly language?
- Does policy encourage schools to work with students and parents in the development of definitions to ensure relevance and full understanding by the student body?
- Are definitions consistent with state and federal laws?

Promote positive expectations for adolescent relationships through school policy to provide for an environment where students clearly understand what is expected.

- Does policy highlight what is actually *expected* of students and not simply focus on what will happen if adolescent dating abuse or unhealthy relationships are apparent?
- Does policy focus on positive behaviors and expectations around those behaviors to provide clear guidance for everyone in the school on what is acceptable and what is not acceptable?

A Primary Prevention Coordinator/Point of Contact encourages an environment where healthy behaviors are the norm.

- Does policy require the assignment of a Primary Prevention Coordinator/ Point of Contact for matters involving *prevention* of relationship abuse, sexual assault, and stalking in school?
- How do procedures encourage the Primary Prevention Coordinator to engage students and the school as a whole in the promotion of healthy adolescent relationships?
- As a matter of procedure, is this person also assigned to receive reports of unhealthy or abusive relationship behaviors in order to maintain a central point of contact for the report of abusive behaviors?

Engaging youth in school policy at all levels is essential to promoting healthy adolescent relationships and preventing abusive behaviors.

- Are youth involved and engaged during the development stages and implementation of school policy?
- Does policy, as the very least, encourage collaboration with students to promote healthy relationships and preventing unhealthy or abusive relationship abuse, sexual assault, and/or stalking?
- During implementation of policy, are there guidelines for ensuring youth are actively engaged in planning activities that promote healthy adolescent relationships and prevent abusive behaviors?

Collaboration with Parents/Caregivers and Community Stakeholders in school policy help ensure students are receiving consistent messaging.

- Does policy include the engagement of parents/caregivers in development and implementation?
- Does policy promote parent/caregiver education on healthy relationships as well as the warning signs of unhealthy or abusive dating relationships, sexual assault, and stalking?
- Does policy promote the engagement of the broader community and key stakeholders to increase the likelihood that healthy relationships and behaviors will become the social norm at school, and be reinforced at home and in the community?

Students, parents/caregivers, and school-based personnel must be aware of the policy and fully understand the expectations laid out in the policy.

- Is notice of the policy a requirement?
- Is the policy published in a readily accessible section on the school's website, and in all items of general distribution, including student handbooks and parent/caregiver newsletters?
- Does the notice specifically state that the school expects healthy relationship behaviors at all times in addition to students having the right to an education free of abusive or unhealthy behaviors?

- Does the notice include information on the school-based Primary Prevention Coordinator/Point of Contact, along with how to file a complaint or report of unhealthy or abusive behavior?
- As a matter of procedure, is there a mechanism to ensure students and parents understand and can identify the healthy and unhealthy behaviors listed in the definition section of the policy?

Training school personnel on healthy adolescent relationship characteristics promotes positive behavior expectations throughout the school environment.
- Does policy state an expectation of modeling healthy relationships characteristics from school personnel, as well as students?
- Does policy provide education for school personnel/influencers on healthy adolescent relationship characteristics and bystander intervention skills, along with the warning signs of abusive adolescent dating relationships, sexual assault, and stalking behaviors?
  - Do procedures incorporate how staff can promote healthy adolescent relationships in the classroom or other school-based activities?
  - Do procedures encourage collaborations with experts like Health teachers, counselors, and nurses, as well as community-based domestic and sexual violence programs, and health care providers to provide valuable training and resources?
  - Does policy and procedures provide for training on early intervention, as well developmentally appropriate referral resources, for students who have both experienced abuse, and those who have participated in unhealthy or abusive behaviors?

Promoting healthy relationships and preventing abusive behaviors through communication strategies can create positive social norms change.
- Does policy encourage development of youth-influenced and student-led communication strategies to promote healthy relationships and prevent abusive behaviors?
- Are students and parents included in the planning and development of communication strategies to ensure relevance?

Collaborative Planning Tool for Multi-faceted Prevention Initiative

Creating Social Change

By attending *OVW STEP Prevention Institute*, your community has identified schools and organizations who are interested in promoting healthy teen relationships and reducing adolescent relationship abuse, stalking, and sexual assault. During *OVW STEP Prevention Institute*, there will be an abundance of information flowing and frankly, you may leave here today feeling overwhelmed. We have provided your community this tool to begin designing a multifaceted approach to out-think relationship abuse, stalking, and sexual assault in our communities.

Step One – Commitment by a catalytic collaboration.

Identify the champions in your community who will commit to promoting healthy teen relationships and preventing adolescent relationship abuse, stalking, and sexual assault.

Catalytic Collaborations	List Possible Champions
Young people – Required (formal and informal leaders, representatives of different subcultures of the school, and reflect diversity of community.	
School-based personnel – Required Middle and High School, Administration, Teachers, Counselors, Healthcare, Coaches, SRO, School Board	
Youth Organizations After School Programs, Mentoring, Tutoring, Boys & Girls Club, Girl Scouts, Faith-Based Organizations, Theatre and Arts, Youth Diversity Advocacy Organizations (LGBTQ, Cultural diversity, Disability advocacy organizations) and Sports Programs (Y-Ball, Soccer, Football, etc.)	
Youth Risk Behavior Allies Adolescent Suicide, Drug and Alcohol, Gang and Youth Violence, Bullying Prevention, Adolescent Pregnancy and Adolescent STI/HIV Prevention, Reproductive Health, Teen Parenting Programs	
Community and Governmental Intervention, Treatment & Response Organizations Domestic & Sexual Violence Advocacy Programs, CCR/Task Force, Health Care Providers, Public Health, Pediatricians/Family Practice, Adolescent Pregnancy Prevention, Juvenile Justice Systems, Juvenile Justice/Probation/Corrections, Law Enforcement, Victim Witness, Substance Abuse Treatment providers and mental health providers and Academic Researchers and Parent organizations (school based or community based)	

Step Two – Build capacity of collaboration to create social change

Collaborations need to build their internal capacity through knowledge and understanding to create social change. It is important that the collaboration designs and implements primary prevention strategies that are based on a Logic Model, a strong theory of change and/or a conceptual framework. The logic model, theory and/or framework can guide the decisions and actions to work toward effectiveness.

Step Two engages the collaboration in three key areas as a way to increase their own internal capacity:
> 1) Understanding of the concepts on adolescent relationship abuse, stalking and sexual assault, the process of designing a multi-faceted primary prevention initiative, needs and strengths assessment, and the research;
> 2) Needs and Strengths Assessment should guide design of a multi-faceted primary prevention initiative; and
> 3) Ongoing evaluation to assess effectiveness

The levels – beginning, intermediate and advanced – are illustrative of the evolution of a collaborations capacity over time as understanding increases.   Through the OVW STEP Prevention Institute, grantees will be provided information to build their capacity to Level Two – Intermediate.

Please use the check boxes and readiness assessment to self-evaluate the capacity of the collaboration throughout the Prevention Institute. In the readiness assessment section, consider making notes and indicating 1) ready to move forward with design of multi-faceted primary prevention initiative; 2) almost ready, but collaboration needs more information; or 3) collaboration needs a lot of information before designing multi-faceted primary prevention initiative.

Level One - Beginning Primary Prevention Initiative	Readiness Assessment
Collaboration understanding of concepts - social issue ☐ Characteristics and skills needed for healthy teen relationships ☐ Adolescent relationship abuse, stalking, and sexual assault **Community & School Assets and Obstacles** ☐ Commitment from two or more organizations **Impact/Effectiveness** ☐ Increase awareness and knowledge and no behavior change in adolescent relationships abuse, stalking, or peer-to-peer sexual assault	
Level Two - Intermediate Primary Prevention Approach	**Readiness Assessment**
Collaboration understanding of concepts - social issue and process ☐ Characteristics and skills needed for healthy teen relationships ☐ Spectrum of adolescent relationship abuse, stalking and sexual assault ☐ Adolescent brain development ☐ Connection between unhealthy relationships and risk behaviors ☐ Socio-ecological, public health model for a multi-faceted approach **Community & School Assets and Obstacles** ☐ Commitment from more than two organizations, with different programs/departments within a school district and building on existing initiatives ☐ Evidence-based interventions on individual and relationship levels ☐ Some level of funding **Impact/Effectiveness** ☐ Evaluation - Increase awareness/knowledge/attitudes and no behavior change	

Level Three - Advanced Primary Prevention Approach	Readiness Assessment
Collaboration understanding of concepts - social issues and process, research ☐ Characteristics and skills needed for healthy teen relationships ☐ Spectrum of adolescent relationship abuse, stalking, and sexual assault ☐ Adolescent brain development and healthy adolescent sexual development ☐ Connection between unhealthy relationships and risk behaviors ☐ Socio-ecological or public health model or Spectrum of Prevention ☐ Theories and research guide initiative[1] ☐ Highly adaptive and engaged in social change cycle and ongoing evaluation **Community & School Assets and Obstacles** ☐ Commitment from multiple categories of representation from Step One ☐ Evidence-based interventions for individual and relationship levels of socio-ecological model ☐ Funding to implement and take to scale, such as commitment of existing resources or new funding **Impact/Effectiveness** ☐ Increase awareness and knowledge and positive change in attitude ☐ Depending on the time frame and type of behavior seeking to change, i.e. social norms, may be able to demonstrate behavior change with an evaluation	

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[1] Theory of change - social learning theory, attachment theory, social change theory, social diffusion, role of gender, neuromarketing, impact of media, and other applicable theories and research.

Step Three and Four – Sort and design a multi-faceted approach

Collaborations should sort through the options available at each level of the socio-ecological model (individual, relationship, community, and societal) before designing a multi-faceted approach.

The intention of Step Three and Four is to engage the collaboration of in an intentional process of sorting through the range of options at each level – universal, targeted, or indicated and evidenced-based or promising – and select the approaches that align with the collaborations Logic Model, Theory of Change and/or conceptual models and areas of research that can inform primary prevention strategies as well as the Needs and Strengths Assessment.

Within each of the Socio-ecological Model levels (individual, relationship, community and societal) the three capacity levels – beginning, intermediate and advanced – are illustrative of the evolution of a collaborations approach or strategies.
Please use the Notes section to indicate areas of interest over the next several days.

Core Strategies Multi-faceted Approach	Notes
Engaging young people in school and out of school settings **Individual Socio-ecological Level**	

Level One to Three – Universal and/or Targeted – implement evidence-based interventions or decision making across the life span; middle and high school
 	
 Please reference the Evidence-based Curricula Review Tool for specific information on curricula.
 • Evidence-based, evaluated curricula-relationships
     ☐ 4th R 7th or 8th Grade health class
     ☐ Safe Dates
     ☐ Shifting Boundaries
     ☐ _____
 	
 • Promising
     ☐ Dating Matters
     ☐ _____
 	
 • Evidence-based, ongoing evaluation- bystander
     ☐ Green Dot – Middle School
     ☐ Green Dot – High School
     ☐ _____
 	
 • Promising community mobilization-engaging men
     ☐ Coaching Boys Into Men
     ☐ MVP
     ☐ Men of Strength
     ☐ _____
 	
 • Evidence-based, evaluated; targeted-support
     ☐ Expect Respect – 24 week adolescent support group for students who have	

experienced violence
    ☐ _____
 	
• After school program
    ☐ 4th R Afterschool Program
    ☐ _____
 	
• Develop and evaluate brief interventions and other tools to engage and educate youth
 	
See also Social Emotional Learning Curricula at www.casel.org
 	
For an overview of Understanding Evidence go to www.cdc.gov/ViolencePrevention/pdf/Understanding_Evidence-a.pdf	

Engaging parents/caregivers and adult influencers **Relationships Socio-ecological Level**	
Level One – Universal, one-time session ☐ Parent handbooks for Students of Middle or High Schools (see order form) ☐ Emerging Workshops for Parent/teens or Parents ☐ Educating teachers, coaches, and other influencers to support the healthy teen relationships and practice the skills of being an active bystander **Level Two and Three – Universal/Evidence-based, multi-session engagement** ☐ Parent handbooks for Students of Middle or High Schools (see order form) ☐ Emerging Workshops for Parent/teens or Parents ☐ Educating teachers, coaches, and other influencers to support the healthy teen relationships and practice the skills of being an active bystander ☐ Screening and response protocol for school nurses or other healthcare settings ☐ Strengthening Families or other multi-session evidence-based program ☐ Develop and evaluation brief interventions and other tools to engage parents/caregivers	

Policy to promote healthy teen relationships and prevent and respond to adolescent relationship abuse, stalking, and sexual assault **Community Socio-ecological Level**	

Level One
   ☐ Implement portions of model policy in local school
   ☐ Training for key school personnel
 	
Level Two
   ☐ Implement portions of model policy in local school or school district, including a Student Code of Conduct to promote positive behavior and awareness of students rights among students and parents
   ☐ Training for all school personnel
   ☐ Training for youth organization staff
 	
Level Three
   ☐ Adopt school district wide policy
   ☐ Provide funding to implement policy
   ☐ Implement model policy in local school, including a Student Code of Conduct to promote positive behavior and awareness of students rights among students and parents
   ☐ Develop system for reporting, tracking and monitoring incidents
   ☐ Multiple trainings for all school personnel
   ☐ Trainings for youth organizations staff, health care providers, faith based organizations, and any organization or system working with adolescents	

Youth-driven social marketing and communications strategy **Societal/Social Norms Socio-ecological Level**	

Level One – Universal, 1 to 2 times a year
Print materials and wearable messaging (shirts, bracelets)
   ☐ Positive social norm awareness materials promoting healthy relationships
   ☐ Awareness materials re warning signs of abuse, stalking, or sexual assault
   ☐ National Teen Dating Violence Awareness & Prevention Month awareness activity
 	
Level Two – Universal, Targeted – several times a year
Print materials and wearable messaging (shirts, bracelets)
   ☐ Positive social norm awareness materials promoting healthy relationships
   ☐ Awareness materials re warning signs of abuse, stalking, or sexual assault
Social marketing- youth driven
   ☐ Social networking and media sharing sites such as Facebook, Tumblr, YouTube, Pintrest, Twitter and	

others
Awareness events – youth-driven
- ☐ National Teen Dating Violence Awareness & Prevention Month youth-driven events
- ☐ Arts-based or popular culture events

Level Three – Universal – throughout the year

Print materials and wearable messaging (shirts, bracelets)
- ☐ Positive social norm awareness materials promoting healthy relationships
- ☐ Awareness materials re warning signs of abuse, stalking, or sexual assault

Social marketing – youth-created and driven
- ☐ Social networking and media sharing sites such as Facebook, Tumblr, YouTube, Pintrest, Twitter and others

Youth as content creators!
- ☐ Writing contests poster contests
- ☐ Blogs, submission online

Awareness Events – youth-created and driven
- ☐ National Teen Dating Violence Awareness & Prevention Month youth-driven events
- ☐ Arts-based or popular culture events- adolescents and parents

Skill development events
- ☐ Break-up Summit
- ☐ In Their Shoes

Level three would also be demonstrated by individual behavior changes > social norms changes, i.e. the school climate would support and foster positive bystander behavior.

Definitions of Key Concepts

Social change involves an ongoing cycle of engagement. Steps one through four of the social change process are set out in this document. The full cycle involves eight steps that the collaboration should continually cycle through:

Step 1 - Commitment to social change through a catalytic collaboration

Step 2 - Build capacity of collaborative by acquiring knowledge, exploring theories and mapping the concepts and assets and obstacles

Step 3 - Sorting through the inventory of the possible components of a multi-faceted approach design

Step 4 - Designing a multi-faceted approach or initiative

Step 5 - Implementing a multi-faceted approach in one school or one community

Step 6 - Scale to impact through networks to other schools and/or communities

Step 7 - Adapt throughout the process and access opportunities and respond to evolving research

Step 8 - Sustainability through ongoing evaluation to determine effectiveness, policy, leveraging resources, protecting investment in social change

Primary Prevention focuses on preventing relationship abuse, stalking, and sexual assault *before* it ever occurs through targeting the entire population within a school or community and promoting healthy norms and behaviors.

Objectives of the programs may involve increasing protective factors and reducing risk factors towards those individuals most likely to later experience or perpetrate relationship abuse, stalking, or sexual assault.

Secondary Prevention is designed to address abuses that are already occurring in a relationship. These approaches generally target at-risk individuals who have exhibited abusive behaviors or possess certain risk factors that are associated with adolescent relationship abuse, stalking and/or sexual assault.

Tertiary Prevention is intervention involving direct services to individuals who have already experienced, or are currently, experiencing relationship abuse, stalking, or sexual assault. Tertiary prevention programs attempt to reduce relationship and/or sexual assault once it has already occurred.

Universal approach addresses the entire population with messages and programs aimed at prevention or delaying problem behaviors.

Targeted approach addresses subsets of the total population that are assessed as at-risk for problem behaviors by virtue of their membership to a particular population segment.

Indicated approach identifies individuals who are exhibiting early signs of problem behavior(s) and targets these students with special programs to prevent future exposure to violence in Middle and High School

Socio-Ecological Systems Theory is a public health, multi-faceted model of prevention that addresses the individual, relationship, institution, and societal levels.

Spectrum of Prevention proposes that individual behavior is fundamentally shaped by relationship factors, such as the presence or absence of physical violence and level of emotional support in family relationships; community factors, such as employment opportunities and the strength of community sanctions against violence; and societal factors, such as the extent of oppression and gender inequality. www.preventioninstitute.org

Logic model (also known as a logical framework, theory of change, or program matrix) is a tool used to evaluate the effectiveness of a program. Logic models are usually a graphical depiction of the logical relationships between the resources, activities, outputs and outcomes of a program.

Theory of change is an empirically justified articulation of how and why one expects a desired change to occur (Anderson, 2005; Hernandez & Hodges, 2006). It involves identifying the desired long-term objectives (e.g., what are we hoping to accomplish?), and then working backwards to identify how specifically to achieve measurable outcomes tied to the goals (e.g., how do we get there?). It is similar to using a logic model to guide one's work, but differs in that it intentionally and explicitly incorporates established theories as well as scientific evidence to create an empirically justified conceptual framework (Hernandez & Hodges, 2001, 2006).

Conceptual frameworks are basically "road maps" designed to connect how we think about a problem with how we address that problem and what we hope to accomplish through our actions. Examining adolescent relationship abuse, stalking, and sexual assault within a conceptual framework is a way to continually examine one's own accountability: How well is a program meeting its goals? Is a program engaging in practices that are likely to lead to their desired goals?

The following release was created by the Confidentiality Institute and is a model for a release that is written, time-limited, accessible, uniform, and detailed. Note – this sample release is only to be used when participants' can consent to the release of information without a parent/guardian signature.

[APPROPRIATE AGENCY LETTERHEAD]

READ FIRST: Before you decide whether or not to let [Program/Agency Name] share some of your confidential information with another agency or person, an advocate at [Program/Agency Name] will discuss with you all alternatives and any potential risks and benefits that could result from sharing your confidential information. If you decide you want [Program/Agency Name] to release some of your confidential information, you can use this form to choose what is shared, how it's shared, with whom, and for how long.

I understand that [Program/Agency Name] has an obligation to keep my personal information, identifying information, and my records confidential. I also understand that I can choose to allow [Program/Agency Name] to release some of my personal information to certain individuals or agencies.

I, _____, authorize [Program/Agency Name] to share the following specific information with:
            name

Who I want to have my information:	Name: Specific Office at Agency: Phone Number:

The information may be shared: ☐ in person   ☐ by phone   ☐ by fax   ☐ by mail   ☐ by e-mail
    ☐ *I understand that electronic mail (e-mail) is not confidential and can be intercepted and read by other people.*

What info about me will be shared:	*(List as specifically as possible, for example: name, dates of service, any documents).*
Why I want my info shared: (purpose)	*(List as specifically as possible, for example: to receive benefits).*

Please Note: there is a risk that a limited release of information can potentially open up access by others to all of your confidential information held by [Program/Agency Name].

I understand:

That I do not have to sign a release form. I do not have to allow [Program/Agency Name] to share my information. Signing a release form is completely voluntary. That this release is limited to what I write above. If I would like [Program/Agency Name] to release information about me in the future, I will need to sign another written, time-limited release.

That releasing information about me could give another agency or person information about my location and would confirm that I have been receiving services from [Program/Agency Name].

That [Program/Agency Name] and I may not be able to control what happens to my information once it has been released to the above person or agency, and that the agency or person getting my information may be required by law or practice to share it with others.

This release expires on _____ _____
                      Date   Time

Expiration should meet the needs of the victim, which is typically no more than 15-30 days, but may be shorter or longer.

I understand that this release is valid when I sign it and that I may withdraw my consent to this release at any time either orally or in writing.

                        Date:_____

Signed:_____   **Time:_____**   **Witness:_____**

Reaffirmation and Extension (if additional time is necessary to meet the purpose of this release)
I confirm that this release is still valid, and I would like to extend the release until _____ _____   New Date   New Time **Signed:_____**   **Date:_____**   **Witness:_____**

As described in <u>Chapter 2: Confidentiality</u>, service providers may sometimes need to obtain written consent from an unemancipated minor participant and the minor participant's non-abusive parent. The following release is based on the Confidentiality Institute's model release and also includes space for an unemancipated minor's parent/guardian to consent and sign.

Template: Unemancipated Minor Participant & Parent/Guardian Limited Release of Information

[APPROPRIATE AGENCY LETTERHEAD]

> READ FIRST: Before you decide whether or not to let [Program/Agency Name] share some of your/your minor child's confidential information with another agency or person, an advocate at [Program/Agency Name] will discuss with you all alternatives and any potential risks and benefits that could result from sharing the confidential information. If you decide you want [Program/Agency Name] to release some of your/your child's confidential information, you can use this form to choose what is shared, how it's shared, with whom, and for how long.

PARTICIPANT:
I understand that [Program/Agency Name] has an obligation to keep my personal information, identifying information, and my records confidential. I also understand that I can choose to allow [Program/Agency Name] to release some of my personal information to certain individuals or agencies. I also understand that because I am an unemancipated minor, my parent/guardian must also consent to my information being released.

I, _____, authorize [Program/Agency Name] to share the specific information listed below:
     Participant's Name

PARTICIPANT'S PARENT OR GUARDIAN
I understand that [Program/Agency Name] has an obligation to keep my minor child's personal information, identifying information, and records confidential. I also understand that I can choose to allow [Program/Agency Name] to release some of my minor child's personal information to certain individuals or agencies. I also understand that because I am the parent/guardian of a minor child obtaining services from [Program/Agency Name], that both I and my minor child must consent to this information being released.

I, _____, authorize [Program/Agency Name] to share the specific information listed below:
 Participant's Parent/Guardian's Name

[RELEASE INFORMATION: To be filled out by Participant with assistance of Participant's Parent/Guardian]

Who I want to have my information:	Name: Specific Office at Agency: Phone Number
The information may be shared: □ in person □ by phone □ by fax □ by mail □ by email □ *I understand that electronic mail (e-mail) is not confidential and can be intercepted and read by other people*	
What info about me will be shared:	*(List as specifically as possible, for example: name, dates of service, any documents.)*
Why I want my info shared: (purpose)	*(List as specifically as possible, for example: to receive benefits.)*

Please Note: there is a risk that a limited release of information can potentially open up access by others to all of your confidential information held by [Program/Agency Name].
I, [Program Participant] understand:
☐ That I do not have to sign a release form. I do not have to allow [Program/Agency Name] to share my information. Signing a release form is completely voluntary. That this release is limited to what I write above. If I would like [Program/Agency Name] to release information about me in the future, I will need to sign another written, timelimited release.
☐ That releasing information about me could give another agency or person information about my location and would confirm that I have been receiving services from [Program/Agency Name].
☐ That [Program/Agency Name] and I may not be able to control what happens to my information once it has been released to the above person or agency, and that the agency or person getting my information may be required by law or practice to share it with others.

This release expires on _____ _____
                     Date   **Time**

Expiration should meet the needs of the victim, which is typically no more than 15-30 days, but may be shorter or longer.

Template: Unemancipated Minor Participant & Parent/Guardian Limited Release of Information

PARTICIPANT CONSENT:

I,_____ (Participant) understand that this release is valid when I sign it and that I may withdraw my consent to this release at any time either orally or in writing.

Date: _____

Signed: _____   **Time: _____**   **Witness: _____**

PARTICIPANT'S PARENT/GUARDIAN CONSENT:

I, _____ (Participant's Parent/Guardian) understand that this release is valid when I sign it and that I may withdraw my consent to this release at any time either orally or in writing.

Date: _____

Signed: _____   **Time: _____**   **Witness: _____**

Reaffirmation and Extension (if additional time is necessary to meet the purpose of this release)

I confirm that this release is still valid, and I would like to extend the release until _____
                                                                                      New Date

PARTICIPANT:

Signed: _____   **Date: _____**   **Witness: _____**

PARTICIPANT'S PARENT/GUARDIAN:

Signed: _____   **Date: _____**   **Witness: _____**

Violation	Consequence	Contact Administrator	Contact Parent/Caregiver	Referral
Verbal/Nonverbal/Written • Use of put-downs, insults, name calling, swearing, or offensive language • Yelling at another • Making threats, being intimidating or having friends threaten or scare another	First Offense Education Verbal Warning	May Inform	May Inform	(If necessary) Dating/other violence prevention counselor
	Repeat Offense Teacher student conf. Send to office Detention	Inform	Inform	Dating/other violence prevention counselor
Physical • Hitting, punching, pinching, pushing, kicking, pulling hair, biting, throwing things • Intimidation, blocking exits and movements, punching walls, damaging /destroying another's property • Restraining someone	First Offense Detention Education Suspension	Must Inform	Parent Conference	•Dating/other Violence prevention counselor • School security • Police
	Repeat Offense Detention + Diversion program Suspension Danger Assessment	Must Inform	Parent Conference	
Using Weapons	Suspension	Must Inform	Must Inform	Police
Stalking	Suspension	Must Inform	Must Inform	Police
Sexual • Name calling, cat calls, whistling • Spreading sexual gossip • Unwanted verbal/written sexual comments • Staring or leering with sexual overtones, sexual gestures	First Offense Detention Suspension Education	Must Inform	Parent Conference	• Sexual Harassment counselor • Dating abuse or rape counselor • School Security • Police
	Repeat Offense Suspension Psych. Assessment	Must Inform	Must Inform -Parent conference req.	
Forcing obscene materials on others	Suspension	Must Inform	Must Inform	Police
Pulling off /lifting clothes to expose private parts	Suspension	Must Inform	Must Inform	Police
Rape or attempted rape	Suspension	Must Inform	Must Inform	Police

This matrix was developed as part of the Start Strong Initiative publication: "A School Policy to Increase Student Safety - Promote Healthy Relationships and Prevent Teen Dating Violence Through Improved School Climate." Futures Without Violence and Break the Cycle, 2011