



Book	Policy Manual
Section	5000 Students
Title	TEEN DATING VIOLENCE AND ABUSE
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#### 5517.03 - **TEEN DATING VIOLENCE AND ABUSE**

The School Board believes that all its students and school employees should have an educational setting that is safe, secure, and free from dating violence and abuse of any kind. The District will not tolerate dating violence and abuse of any type. The Board strictly prohibits any act of dating violence and abuse committed by one student against another on school property, during a school-sponsored activity, or during school-sponsored transportation.

#### **Teen Dating Violence and Abuse Defined**

For purposes of this policy, teen dating violence and abuse shall be defined as a pattern of emotional, verbal, sexual, or physical abuse of a student who is in a current or was in a past intimate relationship to exert power and control over another when one or both of the partners are teenagers. Abuse may include insults, coercion, social sabotage, sexual harassment, stalking, threats and/or acts of mental, physical or sexual abuse. It may also be a pattern of demeaning, coercive, abusive actions that amount to emotional or psychological abuse. Dating violence and abuse may also include abuse, harassment, and stalking via electronic devices such as cell phones and computers, as well as harassment through a third party. The abusive partner uses this pattern of violent and coercive behavior to gain power and maintain control over the dating partner.

#### **Reporting Acts of Dating Violence and Abuse**

Any student who is the victim of an act of dating violence and abuse, or has cause to believe that s/he is in immediate danger of becoming the victim of an act of dating violence and abuse, should report the matter to the Principal or to any member of the school staff.

Any Board employee who receives a report of an act of dating violence and abuse, who directly observes an act of dating violence and abuse perpetrated by one student against another, or who has reason to believe that a student is a victim of dating violence and abuse shall report such report, observations, or suspicions to the Principal.

Any resident of the community or other member of the school community, including students, parents, volunteers, and visitors, who observes an act of dating violence and abuse perpetrated by one student against another, or who has reason to believe that a student is a victim of dating violence and abuse is encouraged to report the matter to the Principal. These reports can be made either in person or anonymously.

#### **Investigating Reports of Dating Violence and Abuse**

Upon receiving a report of alleged dating violence and abuse, the Principal shall conduct an investigation of the allegation promptly. As part of the investigation, the Principal shall contact the parent(s) of the alleged victim and/or the parent(s) of the alleged perpetrator, if they are under the age of eighteen, to inform them of the report.

The investigation of the report should include interviews of the alleged victim, the individual accused of perpetrating the dating violence and abusive behavior, and any other person who may have witnessed the alleged act or who may reasonably be expected to have information relevant to the situation. All interviewed parties and witnesses will be provided an opportunity to present any evidence that they reasonably believe to be relevant to the situation.

The Board reserves the right to investigate a report of dating violence and abuse regardless of whether the student who is allegedly the victim of the dating violence and abuse wants to pursue the matter.

### **Consequences**

At the conclusion of the investigation the Principal will determine whether or not the allegation of dating violence and abuse was substantiated. If the Principal determines that a student has committed an act of dating violence and abuse, that violation of this policy shall result in disciplinary action in accordance with the Student Code of Conduct, which may include suspension, assignment to another school or program, or recommendation for expulsion. All disciplinary action shall be taken in accordance with State law and applicable Board policy. (See Policy 5500) When imposing discipline, the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved, shall be considered.

Suspensions for acts of teen violence and abuse may be appealed in accordance with the procedures set forth in the Student Code of Conduct. (See Policy 5500)

Further, the Department of Children and Families shall be notified if the student who is found to have perpetrated the act of dating violence and abuse is eighteen years of age or older and the student who was the victim of the act of dating violence and abuse is a minor.

In those cases where teen dating violence and abuse is not substantiated, the Principal may consider whether the alleged conduct nevertheless warrants disciplinary action in accordance with the Student Code of Conduct or other Board policies.

### **Support and Reasonable Accommodations**

If requested during or after the investigation, the Principal shall make reasonable accommodations for the student who is allegedly experiencing dating violence and abuse including, but not limited to the following:

- A. Stay Away Contract, that is, a contract with the alleged perpetrator to stay away from the victim while on school grounds, on school transportation, and during school sponsored programs and events;
- B. Class schedule changes;
- C. Protection that will enable safe egress/regress from school, as well as movement within the school; and
- D. Referrals for outside support or counseling.

Students should provide the Principal with a copy of an order of protection that has been issued by the court. The Principal shall then contact the student whose behavior is to be regulated by that order of protection and initiate a Stay Away Contract that is consistent with the terms of that order and provides penalties for known violations of the contract. Further, the Principal shall notify law enforcement immediately if she/he knows or has reason to believe that a criminal or civil restraining order has been violated.

The School Resource Deputy shall respond immediately to a report of a violation of a criminal or civil restraining order.

### **Other Violations of the Dating Violence and Abuse Policy**

The Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

- A. Retaliating against a person who has made a report or filed a complaint alleging dating violence and abuse, or who has participated as a witness in an investigation of such an allegation.
- B. Filing a malicious or knowingly false report or complaint of dating violence and abuse.
- C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of dating violence and abuse, when responsibility for reporting and investigating allegations of dating violence and abuse comprises part of one's supervisory duties.

**Privacy/Confidentiality**

The School District will respect the privacy of the complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy and its related administrative procedures shall be maintained as confidential to the extent permitted by law.

**Education and Training**

In support of this policy, the Board promotes preventative educational measures to create greater awareness of dating violence and abuse. The Superintendent shall require that the District's comprehensive health curriculum in grades 7-12 include a component about dating violence and abuse that is age appropriate and includes the content required by State law.

Further, the Superintendent shall provide appropriate training to all members of the School District staff related to dating violence and abuse, and the implementation of this policy.

Effective 9/5/12

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