

ADMINISTRATION REGULATION

**PROHIBITION AGAINST TEEN DATING VIOLENCE AND SEXUAL
VIOLENCE INVOLVING STUDENTS**

PURPOSE:

This regulation has been put in place by the administration for the purpose of establishing guidelines of expectation in regards to the fulfillment of School Committee Policy JBA regarding the maintaining of a learning environment which promotes respect for all persons regardless of gender and presence of an environment that is free of, and from, **teen dating violence and sexual violence** of students by other students, adults, or anyone else who is in any way connected with programs and/or activities associated with the North Kingstown Schools.

PROTOCOL:

The North Kingstown School District hereby incorporates the following response protocol to teen dating violence, and sexual violence into its school district policies.

Protocol for School-Based Intervention: Staff Members

Any school staff member who witnesses or learns of an act of teen dating violence, , sexual violence, sexual harassment, sexual assault, or rape shall take the following steps:

1. Separate the victim from the alleged perpetrator.
2. Speak with the victim and alleged perpetrator separately.
3. Speak with any bystanders who may have been present or involved. Encourage them to speak up directly on behalf of the victim if they should witness further incidents, or to get help from school personnel.
4. Administer logical and reasonable consequences to the alleged perpetrator when appropriate, including but not limited to making a referral to the principal. See *Chart of Recommended Disciplinary Actions*
5. Inform the victim of his or her right to file a complaint of , sexual harassment, dating violence, or sexual violence with any counselor or administrator. See *Student Complaint Form for Reporting , Sexual Harassment, Dating Violence, and Sexual Violence*
6. Monitor the victim's safety. Increase supervision of the alleged perpetrator as needed.

Protocol for School-Based Intervention: Administrators

Any school administrator who witnesses or learns of an act of teen dating violence, , sexual violence, sexual harassment, sexual assault, or rape shall take the following steps:

1. **Separate the victim from the alleged perpetrator.**
2. Meet separately with the victim.
3. Review the student's complaint form or assist the student in documenting the incident on a complaint form during the meeting. *Student Complain Form for Reporting , Sexual Harassment, Dating Violence, and Sexual Violence.*
4. Further investigate the complaint by speaking with the alleged perpetrator and any bystanders separately. Document all information.
5. If the assessment by the counselor or administrator determines that the incident involved physical or sexual assault or threats, the counselor or administrator should notify the School Resource Officer or police immediately.
6. If the assessment by a school psychologist, social worker, or counselor determines that the victim's mental health has been placed at risk, make appropriate referrals.
7. Contact the parents/guardians of the victim and the alleged perpetrator to inform them that an incident of , sexual harassment, dating violence, or sexual violence has occurred. Ask the parents/guardians to attend a meeting with the administrator and their child to discuss the incident.
8. Track progress of investigation and intervention on the *Student-On-Student Altercation Response Chart* to ensure that all important actions are taken.

Protocol for Working with the Victim

In working with the victim, the North Kingstown School District requires schools to make every reasonable effort to protect the due process rights of the alleged perpetrator. Administrators shall consider adopting the following methods of intervention with the victim:

- Conference with the victim and parent/guardian.
- Identify immediate actions that can be taken to increase the victim's safety and ability to participate in school without fear or intimidation.
- Inform the student and parent/guardian of school and community resources as needed, including their right to file charges or seek legal protection.
- Encourage the student to report further incidents.
- Inform the victim of his or her right to request a Stay-Away Agreement or another school-based alternative to a protective order.

- For situations also involving sexual harassment, inform the victim of his or her right to file a complaint alleging sexual harassment directly with the Rhode Island Title IX Coordinator. A complaint may also be filed with the Office for Civil Rights.
- If the behavior included a violent criminal offense, the victim will be informed of any school transfer rights he or she may have under the Federal No Child Left Behind Act.
- Monitor the victim's safety as needed. Assist the victim with safety planning for the school day and for after-school hours.
- Document the meeting and any action plans on a complaint form. If the victim or parent/guardian declines to document the incident, note this on a complaint form.
- Store all complaint forms in a separate, **confidential file** and document subsequent follow-up actions and complaints on a complaint form.
- Administrators may provide the victim with the right to have a support person present during all stages of the investigation.

Protocol for Working with the Alleged Perpetrator

The North Kingstown School District requires schools to make every reasonable effort to protect the due process rights of the alleged perpetrator. At their discretion, administrators shall consider adopting the following methods of intervention with the perpetrator:

- Conference with the alleged perpetrator and parent/guardian.
- Allow the alleged perpetrator an opportunity to respond in writing to the allegations.
- Identify and implement disciplinary and other actions and consequences that will be taken to prevent further incidents.
- Inform the alleged perpetrator and parent/guardian of help and support available at school or in the community as needed.
- Address the seriousness of retaliation against the victim for reporting the incident or cooperating with the investigation. Inform the alleged perpetrator that retaliation or threats of retaliation in any form designed to intimidate the victim of , dating violence, or sexual violence, those who are witnesses, or those investigating an incident shall not be tolerated. In most cases retaliation or a threat of retaliation will result in the imposition of a short or long-term school suspension and, in appropriate cases, referral to the police.
- Increase supervision of the alleged perpetrator as needed.
- Document the meeting and action plans on a complaint form.

Protocol for Documentation and Reporting of Incidents

The North Kingstown School District shall establish, and prominently publicize to students, staff, volunteers, and parents, how a report of , teen dating violence, or sexual violence may be filed and how this report will be acted upon. Anyone who has information concerning an incident of abuse may file a report. The School District hereby incorporates the following protocol to document teen dating violence into its school districts policy.

1. Teen dating and sexual violence complaints and investigations are kept in a file separate from academic records. This practice is recommended to prevent inadvertent disclosure of confidential information.
2. Each complaint of teen dating or sexual violence, either written or orally given, must be documented. Documentation includes:
 - All allegations constituting the original complaint.
 - All evidence, statements, etc. gathered in support of or contradiction to the allegations.
 - Report of findings and recommendation(s) for action to disciplinary or other administrator(s).
 - Safety planning actions taken, including changing the victim's or offender's schedule and school activities.
 - Follow-up actions, including any responses to disciplinary and safety planning actions and status reports from the victim.
3. In addition to the information specified above, the North Kingstown School District should track and archive aggregate, annual data on the incidence, types and prevalence of , teen dating violence, and/or sexual violence.
4. The principal will provide the Superintendent of Schools and the School Committee with an annual report on incidents of , teen dating violence, and sexual violence which have taken place in the schools under their respective supervision. This report will include a statement describing what remedial action has been taken to address the incidents.

Administrator and Staff Training

The following is required:

The school shall provide training on the NKSD's teen dating violence policy and on the topic of teen dating violence to all administrators, teachers, nurses and mental health staff at the middle and high school levels. Upon the recommendation of the administrator, other staff may be included or may attend the training on a volunteer basis; thereafter, this training shall be provided yearly to all newly hired staff deemed appropriate to receive the training by the school's administration. Per the Lindsay Ann Burke Act, the training shall specifically include, but not be limited to:

- basic principles and warning signs of dating violence,
- the school district's dating violence policy and may also include;
- identifying issues of confidentiality and safety related to dating violence, and
- appropriate school-based interventions for dating violence.

It is strongly recommended that these same concepts related to sexual violence are integrated into trainings. The school's dating violence and sexual violence policy shall be reviewed at the training, to ensure that school staff are able to appropriately respond to incidents at school, provide instruction on how to file a complaint against dating violence and sexual violence, and understand the disciplinary action that may be taken against those who commit such acts. Ideally, these trainings will be facilitated by a school staff person and a representative from a community agency that services victims of ; intimate partner violence, and/or sexual violence such as a victim advocate.

The following is recommended:

- Administrators and school staff shall complete at least 3 hours of training on teen dating violence and sexual violence
- Recent school staff hires will receive training within their first year.

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 through the health curriculum. 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 , 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.

It is also strongly recommended that the following is included in the health education curriculum:

- defining and sexual violence, including rape;
- recognizing warning signs of unhealthy relationships, of abusive relationships (cycle of abuse), effects on the victim, how to help yourself and others, community resources.
- defining healthy and respectful relationships, including the definition of, and difference between, power and control in relationships vs. sharing power;
- identifying and challenging societal norms that support discrimination such as sexism, racism, and homophobia;
- examining and challenging myths about sex, gender, and abuse;
- examining the role of the media in supporting stereotypes and how these stereotypes, if believed, are a set-up for dating abuse, and violence in relationships, including sexual violence;
- exploring how teens can help themselves or a friend if they are a victim of , dating violence, or sexual violence, and;

- addressing the roles that perpetrators, victims and bystanders play in violent situations and exploring how each group can respond to resolve conflict.
- appropriate social skills training to help students avoid isolation and to help them interact in a healthy manner.

Parent Education

It is strongly recommended that schools sponsor parent awareness workshops that should include an overview of the issues of teen dating violence and sexual violence; how to recognize the warning signs with your teen or pre-teen; and what parents can do. Other strategies, like cable access shows and written materials that are sent home with students, should be developed for reaching parents who do not regularly attend school events. At a minimum, each school district shall inform parents of their policy against teen dating violence and sexual violence and provide them with any additional relevant information.

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 dating violence, or sexual violence 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.

First Reading: 4/7/04
Second Reading: 4/21/04
Adopted: 4/21/04
Amended: 8/14/2012

**Student Complaint Form
for reporting
SEXUAL HARASSMENT,
DATING VIOLENCE and SEXUAL VIOLENCE**

Name: _____ Student ID: _____

Grade: _____ Date: _____ Time: _____ School: _____

Please answer the following questions about the most serious incident:

List the name of the alleged perpetrator(s) of sexual harassment, dating violence, or sexual violence:

Relationship between you and the alleged perpetrator(s):

Describe the incident:

When and where did it happen? _____

Were there any witnesses? [] yes [] no If yes, who?

Other information, including previous incidents or threats:

Student or parent declines to complete this form: Initial: _____ Date: _____

I certify that all statements made in the complaint are true and complete. Any intentional misstatement of fact will subject me to appropriate discipline. I authorize school officials to disclose the information I provide only as necessary in pursuing the investigation.

Signatures

Student: _____ Date: _____

School official receiving complaint: _____ Date: _____

School official conducting follow-up: _____ Date: _____

Administrator will document follow up on the Student-on-Student Altercation form (Appendix B) and attach it to this sheet. These documents should remain confidential.

STUDENT-ON-STUDENT ALTERCATION RESPONSE CHART

Date	Step	Action
	Step 1	Take necessary steps to separate alleged perpetrator and victim.
	Step 2	Call the School Resource Officer or police if appropriate. If the altercation is assaultive in nature, see legal and policy guidelines for reporting and discipline.
	Step 3	<p>VICTIM: Conference with the victim outside of the presence of the alleged perpetrator. Use every reasonable effort to protect the due process rights of the alleged perpetrator. Contact parent/guardian. The student may be accompanied by a parent/guardian or other representative.</p> <p>a) Provide the parent/guardian and/or student with a “Notice of Parent and Student Rights.” Inform the student of his or her right to file a complaint alleging sexual harassment directly with the Title IX coordinator or Office of General Counsel and with the Office for Civil Rights. Obtain signature if possible.</p> <p>b) Assist the student in documenting the incident on a complaint form. If the student or parent/guardian declines to document the incident, note this on the complaint form.</p> <p>c) Identify immediate actions that can be taken to increase the victim’s safety and ability to participate in school without being subject to harassment. Refer the student to a school counselor as appropriate.</p> <p>d) Record your observations related to the student conference.</p>
	Step 4	<p>ALLEGED PERPETRATOR: Conference with the alleged perpetrator out of the presence of the victim. Use every reasonable effort to protect the due process rights of the alleged perpetrator. Contact parent/guardian. The student may be accompanied by a parent/guardian or other representative.</p> <p>a) Allow the student an opportunity to respond in writing to the allegations.</p> <p>b) Provide the parent/guardian and/or student with a “Notice of Parent and Student Rights.” Obtain signature if possible.</p> <p>c) Refer the student to a school counselor as appropriate.</p> <p>d) Record your observations related to the student conference.</p>
	Step 5	Further investigate the complaint by interviewing any witnesses separately. Document findings.
	Step 6	Communicate in a confidential manner with the School Resource Officer and counselor and principal or designee.

	<p>Make determinations regarding alleged conduct, ordinarily within 5 (five) days. If extenuating circumstances delay the investigation, inform the victim and parent/guardian. Record determination and actions, as follows (check box):</p> <p><input type="checkbox"/> Findings indicate that a student-on-student altercation occurred.</p> <p>(a) VICTIM: Conference with the victim and parent/guardian. Possible interventions:</p> <ul style="list-style-type: none"> • Identify actions to increase the victim’s safety and ability to participate in school without fear or intimidation. • Inform the student and parent/guardian of support services. • Ensure the victim has access to support when needed (e.g., administrator or counselor gives his/her business card to the student to carry and writes on the back: Please allow NAME to see me when requested.) • Inform the student of his or her right to request a “Stay-Away Agreement.” • Encourage the victim to report further incidences. • Parent/guardian has right to pursue transfer as a victim of . Share form and process as appropriate. Requires verification of harassment/ from administration. • Document conference and action plans. <p>b) ALLEGED PERPETRATOR: Conference with the alleged perpetrator and parent/guardian. Possible interventions:</p> <ul style="list-style-type: none"> • Emphasize expectations for positive behavior. • Identify and implement disciplinary consequences and other actions that will be taken to prevent further incidences. • Inform the student and parent of support services. • Ensure the alleged perpetrator has access to support when needed (e.g., administrator or counselor gives his/her business card to the student to carry and writes on the back: Please allow NAME to see me when requested.) • Address the seriousness of retaliation. • If harassment was severe or repeated, a “Stay-Away Agreement” may be issued. • Depending on the nature of the offense, disciplinary action may be warranted or mandated. • Increase supervision of the alleged perpetrator as appropriate. • Behavior contract. <p>c) REMINDER: If there is a finding that the altercation involved physical or sexual assault or threats, notify the School Resource Officer or police immediately and follow legal and policy guidelines for reporting and discipline.</p> <p><input type="checkbox"/> Unable to determine that inappropriate behavior occurred, but there has been a determination that the situation justifies the communication of warnings, recommendations, and/or information regarding support services.</p> <p><input type="checkbox"/> There are no findings of inappropriate behavior.</p>
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**Step
7**

	<p>Step 8</p>	<p>After determination made:</p> <ul style="list-style-type: none"> • Give notice of the outcome to the parties – follow FERPA guidelines. • Advise the parents and students that they may appeal the decision of the principal or designee regarding the outcome of the investigation into the allegation. Inform the student or parent/guardian that he or she may request a conference with the Superintendent or designee and that a written complaint must be submitted. The appeal notice must be filed in writing, on a form provided by the District.
	<p>Step 9</p>	<p>If findings indicate that inappropriate behavior has occurred:</p> <ul style="list-style-type: none"> • Monitor the safety of the victim. • Encourage the victim to immediately communicate any safety concerns that may arise to an administrator or counselor or School Resource Officer. • Document subsequent follow-up actions and complaints in the space provided on the complaint form.
	<p>Step 10</p>	<p>Advise Title IX Coordinator by email or memo of all incidents of sexual harassment that occur on your campus. Label correspondence regarding sexual harassment issues “Attorney-Client Privileged Information.” Include (a) the date of the incident, (b) the names of the students involved in the incident, (c) actions taken to address the matter, and (d) whether the matter is closed or remains open. Use form titled “Reports of Allegations of Sexual Harassment (Title IX).”</p>
	<p>Step 11</p>	<p>Store complaint forms in a separate, confidential file.</p>

STUDENT NAME _____ Grade ____ Advisory _____

Restraining Order/ No Contact Order School Checklist

VIOLATION OF A RESTRAINING ORDER IS A CRIMINAL OFFENSE AND ANY VIOLATIONS SHOULD BE IMMEDIATELY REPORTED TO THE POLICE.

Local police department telephone number _____

Restraining Order issued on behalf of student named above.

Defendant's NAME _____ **Grade** ____ **H.R.** ____

_____ A copy of the restraining order / no contact order attached

_____ Copies of Class Schedules (for both victim and defendant) attached

_____ If defendant does not attend the same school:

- note school attends _____
- attach picture _____
- description of the defendant _____
- car make _____
- license plate # _____
- trespassing letter sent _____

1) Are There Any Schedule Conflicts?

2) Class Changes To Be Made? _____ Please make sure updated schedule is attached.

3) Meeting Date(s) NOTE: *School Administrator must hold SEPARATE meetings with the victim and defendant.*

With Victim: _____ With Defendant: _____

If victim is a minor, If defendant is a minor,

With Parents of Victim: _____ With Parents of Defendant: _____

School Administrator Signature _____ **Date** _____

NOTE: The onus of the restraining order is on the defendant. A victim cannot violate the restraining order, though realistically, reasonable behavior and cooperation is expected by both parties.

STUDENT NAME _____ Grade _____ Advisory _____
ADMINISTRATIVE Staff _____

VICTIM SAFETY PLAN

A safety plan should be considered when a student discloses dating violence and abuse, whether or not a Restraining Order/No Contact Order has been issued by the court.

NOTE: Administrative staff should develop this plan with the victim, in an effort to empower the victim and keep him/her safe. A safety plan needs to be individualized, as every victim has unique needs and challenges.

1.) Any Schedule Changes Made (attach revised schedule) School should consider who will notify the teachers, what if there's only one AP English course in the school and both parties take the course?

2) School Arrival (change in time, entrance, transportation, with whom, etc...)

3) Locker (Is there a gym locker as well? How will the student access their locker ex. five minutes early?)

4) Lunch (Is the cafeteria safe? Can the victim experience retaliation from friends of the perpetrator? Can the eating schedule be changed? Who will alert cafeteria staff of the order?)

5) Route Changes (include places to avoid/watch for, after school activities and team schedules, travel to and from school, class, etc.)

6. School Departure (time, entrance, designated friend, etc.)

7. STAFF: *Let the victim select one staff member that they feel comfortable with. This staff person should be available for student for "check-ins" and support as needed*

Support Staff _____

8. Additional Staff to Share Plan With: (Administrators, Teachers, Guidance Counselors, Resource Officer, Lunch Aides, Bus Driver, Coaches, School Nurse, etc.)

9. Support Network of Peers: (to accompany student throughout the day if necessary)

10. Strategies to Problem Solve: Have the victim think through different ways s/he will react and deal with emergency situations, where they would go? Who would they call? Consider strategies to assess dangerousness, threats, Etc.

11. Any Additional Special Conditions: Are there other extracurricular school activities/events which present conflicts? How are they to be addressed?

12. School has completed the Restraining Order/ No Contact Order School Checklist.

SCHOOL-BASED STAY AWAY AGREEMENT

The intent of this agreement is to increase safety for students who have been the victims of sexual harassment, dating violence, or sexual violence. It is to be administered in a conference with the alleged perpetrator and his or her parent/guardian (if available).

Name of student: _____

Date of most serious incident: _____

Description of behaviors involved in incident:

Date of assessment: _____

Date of parent/guardian notification: _____

In order to protect the rights and safety of all members of our school community, you are required to stay away from (name of victim)

at all times during the school day and at any school-sponsored event. This means that you may not approach, talk to, sit by, or have any contact with (name of victim)

at school or on school property, school buses, and bus stops and/or at any school sponsored event. In addition, the following actions are effective immediately:

Arrival/Departure

Time: _____ Entrance: _____

Bus/Parking: _____

Current Schedule	New Schedule

Lunch: _____

Locker: _____

Extracurricular Activities: _____

Other disciplinary actions: _____

Violations of this agreement and acts of retaliation directly or indirectly toward the victim or the victim's friends or family members will be taken seriously and will result in further disciplinary actions. Your compliance will be monitored by (name and staff title):

_____.

Agreement is valid from _____ to _____.
date date

This agreement will be reviewed on _____.
date

Signatures:

Student: _____ Date: _____

Administrator: _____ Date: _____

cc: Principal * Assistant Principal * Counselor * School Resource Officer

CHART OF RECOMMENDED DISCIPLINARY ACTIONS FOR , TEEN DATING VIOLENCE, AND SEXUAL VIOLENCE

The purpose of this chart is to provide administrators with *examples* of actions and consequences that may be appropriate given certain violations. While justice must be consistent, we strongly recommend against the rigid enforcement of any discipline plan including the one below. Rather, we encourage schools to consistently enforce a flexible disciplinary plan that is judicious and respectful of due process. Please examine the circumstances around incident with care and make all final decisions on case-by-case basis.

Violation	Consequences	Contact Administrator	Contact Parents/Caregiver	Referral
Verbal/Nonverbal/Written <ul style="list-style-type: none"> • Use of put-downs, insults, name calling, swearing, or offensive language • Screaming or yelling at another • Making threats, being intimidating or getting friends to threaten or scare another 	First Offense <ul style="list-style-type: none"> • Verbal • Warning/Education 	May Inform	May Inform	• If appropriate, dating or other violence prevention counselor
	Repeat Offense <ul style="list-style-type: none"> • Teacher student conference • Send to office/Detention 	Inform	Inform	• Dating or other violence prevention counselor
Physical <ul style="list-style-type: none"> • Hitting, punching, pinching, pushing, shoving, grabbing, slapping, kicking, chocking, pulling hair, biting, throwing things, arm twisting • Intimidation, blocking exits, punching walls, knocking things around • Damaging or destroying another’s property • Restraining, pinning someone to the wall, blocking their movements 	First Offense <ul style="list-style-type: none"> • Detention/ Education/ Suspension Must Inform Parent Conference 	Must Inform	Parent Conference	<ul style="list-style-type: none"> • Dating or other violence prevention counselor • School security • Police
	Repeat Offense <ul style="list-style-type: none"> • Detention plus Diversion Program • Suspension • Dangerousness Assessment 	Must Inform	Parent Conference	
Using Weapons	Suspension	Must Inform	Must Inform	Police
Stalking	Suspension	Must Inform	Must Inform	Police
Sexual <ul style="list-style-type: none"> • Name calling, such as slut, bitch, fag • Cat calls or whistling • Spreading sexual gossip or graffiti • Comments about a person’s body or unwanted verbal or written sexual comments • Staring or leering with sexual overtones, sexual gestures 	First Offense <ul style="list-style-type: none"> • Detention/ Suspension • Education 	Must Inform	Parent Conference	<ul style="list-style-type: none"> • Sexual harassment counselor • Dating violence or rape counselor • School Security • Police
	Repeat Offense <ul style="list-style-type: none"> • Suspension • Psychological Assessment 	Must Inform	Must Inform Parent Conference before admittance to new school or re-admittance	
Forcing obscene materials on others	Suspension	Must Inform	Must Inform	Police
Pulling off or lifting clothes to expose private parts	Suspension	Must Inform	Must Inform	Police
Rape or attempted rape	Suspension	Must Inform	Must Inform	Police