

Pursuant to 24 P.S. § 15-1553(a), the Department of Education (Department) hereby submits the following Model Dating Violence Policy. School entities have an obligation to ensure the safety of their students. In that regard, the Department provides the following as one possible model for school entities that wish to adopt and implement a Dating Violence Policy in order to promote the prevention of dating violence.

This model is not intended to be adopted as written. Each school entity should consider the policy below as a reference to use in the development of the school entity’s unique policy.

As used throughout the document, the terms “school entity” and “school” refer to school districts, area vocational-technical schools, intermediate units and charter schools, including cyber charter schools.

	<p style="text-align: center;">Commonwealth of Pennsylvania Department of Education Model Dating Violence Policy</p>
	<p>A policy should include the school entity’s purpose and the authority for adopting the policy, such as:</p>
<p>1. Purpose</p>	<p>The school entity strives to provide a safe, positive learning climate for students in the schools. Therefore, it shall be the policy of the school to maintain a school climate in which dating violence is not tolerated and to promptly address dating violence when it is reported or observed.</p> <p>The school entity adopts this policy to:</p> <ol style="list-style-type: none"> 1. Provide additional guidance and to supplement the school’s harassment and nondiscrimination policies, as well as other relevant school policies. 2. Apply the rights of students and responsibilities of school employees in the context of dating violence within the school system. 3. Promote prevention of dating violence in the school entity. 4. Respond when there are cases of dating violence within the school entity. <p>This policy shall not abrogate any civil and/or criminal remedies that may otherwise be available to the victim under state or federal law.</p>
<p>2. Authority</p> <p>24 P.S. Sec. 1553</p>	<p>The school entity declares that dating violence is prohibited.</p> <p>This policy shall apply in any situation where a student is experiencing dating violence on school property, at any school-sponsored activity, or on any public vehicle providing transportation to or from a school or school-sponsored activity.</p> <p>The school entity encourages students who have been a victim of dating violence to</p>

	<p>promptly report such incidents to designated employees.</p> <p>The school entity intends this policy to be construed and applied in a manner that is consistent with applicable state and federal laws, regulations and Board policies.</p>
	<p>A policy should contain definitions of key terms. Definitions that may be helpful include:</p>
<p>3. Definitions</p> <p>71 P.S. Sec. 611.13</p>	<p>Alleged Perpetrator shall mean an individual who is accused of committing any act or threat of dating violence as defined in this policy.</p> <p>Dating Partner shall mean a person, regardless of gender, sexual orientation or gender identity, involved in an intimate relationship with another person, primarily characterized by the expectation of affectionate involvement, whether casual, serious or long-term.</p> <p>Dating Violence shall mean the use of abusive behaviors, including, but not limited to, Internet, electronic, written, verbal, sexual or physical contact by a person to harm, threaten, intimidate or control a current or former dating partner, regardless of sex, sexual orientation or gender identity. Dating violence may be an isolated incident or a repeated course of conduct. Dating violence includes but is not limited to:</p> <ul style="list-style-type: none"> • Physical Abuse: Any intentional unwanted contact with the victim’s body by either the perpetrator or an object within the perpetrator’s control, regardless of whether such contact causes pain or injuries to the victim. • Emotional Abuse: The intentional infliction of mental or emotional distress by threat, coercion, stalking, humiliation, harassment, or other unwanted verbal or nonverbal conduct. • Sexual Abuse: Any sexual behavior or contact by the perpetrator that is unwanted by the victim and/or interferes with the victim’s ability to consent to or control the circumstances of sexual behavior. <p>Dating Violence Response Team (DVRT) shall mean a team of one (1) or more school employees, including the principal, who shall be responsible for receiving and responding to dating violence complaints. Other appropriate personnel may include a member of the student assistance program, school counselors, school resource officer or school police officer, teachers, school nurses and the person designated as the compliance officer in the harassment and nondiscrimination policies. The DVRT will be specifically trained, with a victim-centered focus on dating violence, safety planning and making appropriate referrals, by either a state coalition against domestic violence or rape, or a local domestic violence or rape crisis program.</p> <p>Domestic Violence Program shall mean a program which has as its primary purpose the provision of direct services to victims of domestic violence and their children,</p>

<p>20 U.S.C. Sec. 1232g</p> <p>71 P.S. Sec. 611.13</p>	<p>including, but not limited to, victim advocacy, counseling, shelter, information and referral, victim-witness, accompaniment, community education and prevention.</p> <p>Educational Records shall mean those records, files, documents, and other materials that contain information directly related to the student and are maintained by the school entity or party acting for the school entity.</p> <p>Modification shall mean a reasonable adjustment to a student’s educational environment, or participation in school-related activities, which increases access to a meaningful education for a student who is experiencing dating violence and is reasonably intended to end the dating violence.</p> <p>Perpetrator shall mean an individual who has committed any act or threat of dating violence as defined in this policy.</p> <p>Protection From Abuse Order shall mean a civil court order issued for the protection of a victim of dating violence that restricts the conduct of an individual toward the victim.</p> <p>Rape Crisis Program shall mean a program which has as its primary purpose the provision of direct services to victims of sexual assault, including, but not limited to, crisis intervention, counseling, victim advocacy, information and referral, victim-witness and assistance, accompaniment through the medical, police and judicial systems, as well as providing education and prevention programs on rape and sexual assaults.</p> <p>School Climate shall mean the quality and character of school life. School climate shall be based on patterns of students’, parents’/guardians’ and school employees’ experience of school life reflecting the norms, goals, values, interpersonal relationships, teaching and learning practices, and organizational structures of the school environment.</p> <p>Safety Plan shall mean an individualized set of actions, strategies, and resources that address a student’s safety with regard to dating violence.</p> <p>School Employee shall mean any employee, independent contractor or volunteer of the school entity, including student teachers.</p> <p>Student shall mean any individual who is enrolled in any school entity.</p> <p>Victim shall mean the student who is experiencing dating violence as defined in this policy.</p>
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<p>4. Delegation of Responsibility</p>	<p>A school entity may consider establishing a Dating Violence Response Team (DVRT) in a policy. If a team is established, the policy should include specifics as to the membership, training requirements and responsibilities of DVRT members, such as:</p> <p>The school will maintain a Dating Violence Response Team (DVRT) that shall be responsible for receiving complaints and responding in accordance with this policy.</p> <p>The school will designate one (1) or more school employees to be members of the DVRT.</p> <p>If a student notifies a school employee who is not a member of the DVRT of the dating violence, that school employee should immediately notify a designated member of the DVRT. In that regard, school employees will be aware of the proper protocol, including contact information for the designated DVRT member, to follow in order to respond to incidents of dating violence between students on school property, at any school-sponsored activity, or on any public vehicle providing transportation to or from a school or school-sponsored activity.</p> <p>The Chief School Administrator or a designee shall develop administrative regulations regarding protocols for investigating complaints of dating violence.</p>
<p>5. Guidelines</p>	<p>A policy should include directions and procedures for the submission of a complaint and the investigation of complaints, such as:</p> <p><u>Complaint Form</u></p> <p>The complaint form shall be made available to all students.</p> <p>The DVRT member who is notified of the dating violence incident may offer the student assistance in completing the complaint form.</p> <p>The DVRT member shall file completed complaint forms in a secure location in the school and district administrative offices.</p> <p><u>Investigation</u></p> <p>Once a complaint has been referred, the DVRT shall initiate an investigation. The investigation shall be conducted in a manner that is designed to maintain confidentiality to the extent allowed by state and federal law and with a full and fair investigation.</p>

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

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

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

Documentation

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

The file shall contain written documentation of actions taken by a DVRT member on behalf of a student experiencing dating violence. School employees acting with regard to a dating violence incident shall document the action in writing and provide the documentation to the DVRT. The DVRT's files shall be kept in a secure, locked filing cabinet under the control of the:

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

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

20 U.S.C.
Sec. 1232g

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

<p>Title 22 Sec. 12.12</p>	<p><u>Confidentiality Of School-Related Information</u></p> <p>Information received in confidence from a student may be revealed to the student’s parent/guardian, the building principal or other appropriate authority when the health, welfare or safety of the student or other persons is clearly in jeopardy.</p> <p><i>Parental Notification –</i></p> <p>The DVRT shall encourage the victim to tell his/her parent/guardian about the dating violence and shall provide support to the victim.</p>
<p>23 Pa. C.S.A. Sec. 6311</p>	<p><i>Mandatory Child Abuse Reporting –</i></p> <p>Under no circumstances is this policy intended to abrogate the requirements related to mandatory child abuse reporting.</p>
<p>23 Pa C.S.A. Sec 6101 <i>et seq.</i></p>	<p><u>Protection From Abuse Orders</u></p> <p>When a school is notified by the court, victim, parent/guardian, or otherwise provided a copy of the Protection From Abuse Order, the school, in consultation with the solicitor, will take appropriate actions to comply with the Protection From Abuse Order.</p> <p>When the school entity is notified of the Protection From Abuse Order, the DVRT shall hold separate meetings with the victim/student and perpetrator/student to:</p> <ol style="list-style-type: none"> 1. Review the Protection From Abuse Order, the specific prohibitions under the order and ramifications for violating the order, including juvenile court for minors and criminal consequences for anyone eighteen (18) years of age or older. 2. Clarify what the victim/student is asking of the DVRT, if anything, to keep him/her safe from the perpetrator. 3. Review the school day, classes, lunch, and activities, paying attention to potential conflicts and opportunities for face-to-face contact between the victim/student and the perpetrator/student. 4. Identify schedule overlaps, such as arrival/dismissal times, classes, lunch, activities, etc. 5. Identify a plan to include safety precautions that eliminate or substantially diminish the opportunity for the victim and the perpetrator to come into contact on school property, at any school-sponsored activity, or on any public vehicle providing transportation to or from a school or school-sponsored activity.

	<p>In meeting with the victim/student, the DVRT shall:</p> <ol style="list-style-type: none"> 1. Help the victim/student identify adults within the school setting with whom s/he feels comfortable. 2. Assist the victim in developing a safety plan or refer the victim to a local domestic violence or rape crisis program. <p>If the school knows or reasonably should have known that the perpetrator/student violated the Protection From Abuse Order on school property, the building principal or DVRT member shall contact law enforcement.</p>
	<p>A policy should be publicized and made available to the entire school community.</p>
<p>24 P.S. Sec. 15-1553</p> <p>24 P.S. Sec. 15-1553</p>	<p><u>Notice Of Policy</u></p> <p>In addition to the established process for publicizing school policies, the policy regarding dating violence shall be:</p> <ol style="list-style-type: none"> 1. Disseminated in the student handbook at the beginning of each school year. The student handbook shall include the names of the DVRT members and a sign-off sheet to be signed and returned to the school office indicating that the parent/guardian and student have read and understand the policy. 2. Published on the school entity's publicly accessible Internet website, if available. 3. Posted at a prominent location within each school building where such notices are usually posted. 4. Be made available in every classroom within the school entity.
	<p>A policy should include training requirements for the students, faculty and staff, administrators and the specific individuals who are key to the policy's implementation, such as:</p>
	<p><u>Prevention, Training And Education</u></p> <p>The school entity will use the following strategies and techniques to create a school climate that encourages and sustains respectful interpersonal relationships, healthy youth development, and a feeling of safety:</p>

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

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

1. Conduct investigations and assessments.
2. Respond appropriately to disclosures of dating violence.
3. Assist victims with safety planning.
4. Make appropriate referrals.
5. Decide and implement appropriate disciplinary action.
6. Monitor compliance of disciplinary action.
7. Evaluate and recommend changes in teen dating violence policy, regulations, and programs.

It is important to ensure that members of the response team serve willingly and exhibit sensitivity to the issue.

Training for Teachers, Administrators and Staff

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

Prevention And Education For The School Community –

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

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

In creating a safe school climate, the school entity will develop an advisory team of local experts from community organizations to assist in the school's efforts and to familiarize the schools with the roles, responsibilities and constraints of their agencies.

<p>24 P.S. Sec. 15-1553</p> <p>24 P.S. Sec. 15-1553</p> <p>24 P.S. Sec. 15-1553</p>	<p>These may include, but are not limited to, local domestic violence agencies and rape crisis centers, police department or Sheriff’s Office, District Attorney’s Office, probation, mental health services, Child Protective and Social Services staff, clergy and local faith leaders, media, and civic groups.</p> <p>The district may incorporate age-appropriate dating violence education into the annual health curriculum framework for students in grades nine through twelve. The district shall consult with at least one (1) local domestic violence program or rape crisis program when developing the educational program.</p> <p>A parent/guardian of a student under the age of eighteen (18) shall be permitted to examine the instructional materials for the dating violence education program.</p> <p>At the request of the parent/guardian, the student may be excused from all or part of the dating violence education program.</p>
<p>The policy should reference relevant law, such as:</p>	
<p>References:</p> <p>Dating Violence Education – 24 P.S. Sec. 1553</p> <p>State Board of Education Regulations – 22 PA Code Sec. 12.12</p> <p>Child Protective Services Law – 23 Pa. C.S.A. Sec. 6311</p> <p>Domestic Violence and Rape Victims Services – 71 P.S. Sec. 611.13</p> <p>Family Educational Rights and Privacy Act – 20 U.S.C. Sec. 1232g</p> <p>Protection from Abuse Act – 23 Pa. C.S.A. Sec 6101 <i>et seq</i></p>	