Model Policy and Guidance for Incidents Involving Dating Violence

Introduction

This document is designed to provide guidance to local district boards of education/boards of trustees in the development, establishment, and implementation of policies, procedures and educational programs for acts or incidents of dating violence involving students at school.

Part I
Background

Legislation (P.L. 2011, Chapter 64) (N.J.S.A. 18A:35-4.23a, 18A:37-33 et.al) enacted on May 4, 2011 requires each school district/charter school to approve a policy to prevent, respond, and educate their students, as well as their school community on incidents of dating violence. A safe and civil school environment is necessary for students to learn and achieve high academic standards. A student who is a victim of dating violence suffers academically and the student’s safety at school is jeopardized.

To assist each district board of education/board of trustees in developing its Dating Violence policy, the legislation required the Department of Education to form a task force to issue a model policy. This document includes appropriate references to statutes, policy requirements, guidance and emergent information on Dating Violence and Safe Dating practices.

Part II
Guidance For Local Policy Development

Policy Context
The New Jersey Department of Education (NJDOE) recognizes that the decisions made on the policy governing the incidents of dating violence is dependent on the individual characteristics in each school district/charter school. Each district board of education/board of trustees’ policy, however, must comply with the minimum requirements stated in N.J.S.A. 18A: 35-4.23, 18A: 37-33 et al. in regards to the prevention, response, and education of their students in regards to incidents of dating violence that occur at school.

Local Policy Development
The following policy requirements and guidance make it clear that the content and format of local policies and procedures must be developed locally.
Requirements for Policy Contents

- Each district board of education/ board of trustees, must adopt a Dating Violence policy which address the prevention, response, and education of students and the school community in regards to incidents of dating violence that occur at school pursuant to N.J.S.A. 18A:37-33.

- Each district board of education/ board of trustees, must recognize that definitions relative to dating violence used in this act are as follows:
  - “At school” means in a classroom, or anywhere on school property, school bus or school related vehicle, at an official bus stop, or at any school sponsored activity or event whether or not it is on school grounds.
  - “Dating partner” means any person involved in an intimate association with another individual that is primarily characterized by the expectation of affectionate involvement, whether casual, serious, or long-term.
  - “Dating violence” means a pattern of behavior where one person threatens to use, or actually uses physical, sexual, verbal, or emotional abuse to control a dating partner.


- Each district board of education/ board of trustees must adopt its own policy or one created by the Department of Education’s Task Force on incidents involving dating violence at school. The policy shall contain the minimum:
  1. A statement that dating violence will not be tolerated;
  2. Dating violence reporting procedures;
  3. Guidelines for responding to at-school incidents of dating violence;
  4. Discipline procedures specific to at-school incidents of dating violence;
  5. Warning signs of dating violence;
  6. Information on safe, appropriate school, family, peer, and community resources available to address dating violence

In the event that a district/charter school determines to develop its own policy, the policy, shall contain, at minimum, the components, 1-6, listed above.

Notice of the policy implemented by the school district/charter school shall appear in any publication of the district/charter school that sets forth the comprehensive rules, procedures, and standards of conduct for schools within the district/charter school, and in any handbook.


- The Department of Education shall recommend resources on dating violence information and shall post these materials on its website pursuant to N.J.S.A. 18A: 37-36.

- The provisions of P.L. 2011, Chapter 64 (18A:37-33 et al.) shall not be interpreted to prevent a victim from seeking redress under any available law, either civil, or criminal, and does not create or alter tort liability pursuant to N.J.S.A. 18A: 37-37.

- Each school district/charter school beginning with the school year 2011-2012 shall incorporate dating violence education that is age appropriate in the health education curriculum as part of the district/charter school’s implementation of the Core Curriculum Content Standards in Comprehensive Health and Physical Education grades 7-12.

The dating violence education shall include but not be limited to information on the definition of dating violence, recognizing dating violence warning signs, and the characteristics of healthy relationships.
Upon written request to the school principal, a parent or legal guardian of a student less than 18 years of age, shall be permitted within a reasonable period of time after the request is made, to examine the dating violence education instruction materials developed by the school district. Pursuant to N.J.S.A. 18A: 35-4.23a.

Model Policy Development for Incidents Involving Dating Violence that Occur At School

Statutory Requirement: N.J.S.A. 18A:37-35. The districts/charter schools dating violence policy shall include at minimum the following Components:

1. A statement that dating violence will not be tolerated.

   The district board of education/board of trustees has determined that a safe and civil environment in school is necessary to learn. Acts or incidents of dating violence whether they be verbal, sexual, physical or emotional will not be tolerated and will be dealt with according to school district/charter school student code of conduct.

2. Procedures for reporting incidents of dating violence.

   All acts or incidents of dating violence shall be reported to the school’s principal, or his or her designee (Vice/Assistant Principal, Guidance Counselor, Student Assistance Counselor, School Resource Officer, School Nurse etc.) in compliance with existing school district/charter school policy. School staff (Instructional staff, Support staff, Custodians, Volunteers) should take all reasonable measures to prevent acts or incidents of teen dating violence. This report should be made verbally as soon as possible but no later than the end of the student’s school day. A written report regarding the act or incident of dating violence should be submitted to the principal, or his or her designee by the reporting staff member no later than one day after the act or incident occurs. Staff is required to report all acts or incidents of dating violence.

   These could include:
   - Witnessed or reliable information concerning acts or incidents that are characterized by physical, emotional, verbal or sexual abuse.
   - Digital or electronic acts or incidents of dating violence.
   - Patterns of behavior which are threatening or controlling.

3. Guidelines for responding to at-school incidents of dating violence.1

   Protocol for Staff Members

   Any school staff member who witnesses or learns of an act or incident of dating violence is required to take the following steps:
   - Separate the victim from the aggressor.
   - Speak with the victim and the aggressor separately.
   - Speak with witnesses or bystanders separately.
   - Inform the principal, or his or her designee of the act or incident.
   - Prepare written report of incident for principal, or his or her designee.
   - Monitor the interactions of the victim and the aggressor. Student safety should be the priority.
Protocol for Administrators
Any school administrator who witnesses or learns of an act of dating violence is required to take the following steps:

- Separate the victim from the aggressor.
- Meet separately with the victim and the aggressor.
- Take written statements from the victim and alleged aggressor.
- Review the victim’s and aggressor’s written statements to ascertain an understanding of the act or incident. Questions may be asked of either individual for clarification.
- Further investigate the incident by speaking with bystanders/witnesses of the act or incident. All statements should be documented.
- The school administrator should make the determination to involve the School Resource Officer or Police Department.
- After an assessment by a school social worker, counselor or psychologist a determination is made that the victim or aggressor’s mental health has been placed at risk appropriate referrals should be made.
- Contact should be made with the parents/guardians of both the victim and the aggressor. A recommendation of a meeting should be made to discuss the act or incident with the principal, or his or her designee.
- Schools must notify both parties in writing of the outcome of the investigation into the act or incident of dating violence.

Protocol for working with the Victim of an act or incident of dating violence
Administrators shall consider adopting the following methods for dealing with victims of dating violence.

- Student safety should be the first priority. Interaction between the victim and the alleged aggressor should be avoided. The burden of any schedule changes (classroom, bus etc.) should be taken on by the alleged aggressor.
- Schedule a conference with the victim and their parents/guardians.
- Identify any means or actions that should be taken to increase the victim’s safety and ability to learn in a safe and civil school environment.
- Alert the victim and their parents/guardians of school and community based resources that may be appropriate, including their right to file charges, if the act or incident violated the law.
- Monitor the victim’s safety as needed. Assist the victim with any plans needed for the school day and after school hours. (e.g. Hallway safety, coordination with parents/guardians for transportation to and from school). An individualized safety plan may be developed if deemed necessary. See Appendix A for examples and additional resources.
- Discuss a school approved Stay-Away Agreement between the victim and the alleged aggressor. See Appendix B for examples and additional resources.
- Encourage the victim to self report any and all further acts and incidents of dating violence that occur at-school in writing to the principal, or his or her designee. See Appendix C for examples and additional resources.
- Document all meetings and action plans that are discussed.
Protocol for working with the alleged aggressor of an act or incident of dating violence

Administrators shall consider adopting the following methods for dealing with the alleged aggressor in act or incidents of dating violence.

- Schedule a conference with the aggressor and their parents/guardians.
- Give the alleged aggressor the opportunity to respond in a written statement to the allegations of an act or incident of dating violence at-school.
- Alert the alleged aggressor and their parents/guardians, to both school and community based support and counseling resources that are available.
- Identify and implement counseling, intervention and disciplinary methods that are consistent with school policy for acts or incidents of this nature.
- Review the seriousness of any type of retaliation (verbal, emotional, physical, sexual, electronic/digital) towards the victim who reported the act or incident of dating violence. Address that consequences would be issued consistent with the school’s student code of conduct and procedures for any type of retaliation or intimidation towards the victim.
- Document all meetings and action plans that are discussed.

Protocol for the Documentation and Reporting of an act or incident of dating violence

School districts and charter schools should establish a procedure for the documentation and reporting of acts or incidents of dating violence that occur at school.

- Dating violence statements and investigations should be kept in files separate from student academic and discipline records. This is recommended to prevent the inadvertent disclosure of confidential information.
- Every act or incident of dating violence at school that is reported should be documented in an appropriate manner. This should include statements, planning actions, disciplinary measures as well as counseling and other support resources that are offered and prescribed to the victim or alleged aggressor.

4. Discipline procedures specific to at-school incidents of dating violence.

The district board of education/board of trustees shall require its school administrators to implement discipline and remedial procedures to address acts or incidents of dating violence at school. These policies and procedures should be consistent with the school’s student code of conduct. The policies and procedures specific to acts or incidents of dating violence at school should be used to address the act or incident as well as serve as remediation, intervention, education, and prevention for all individuals involved. The responses should be tiered with consideration given to the seriousness and the number of previous occurrences of acts or incidents in which both the victim and alleged aggressor have been involved.

The consequences and remedial measures listed below are examples and may be expanded upon:

Consequences:

- Admonishment
- Temporary removal from the classroom
- Classroom or administrative detention
- In-school suspension
- Out-of-school suspension
- Reports to law enforcement
- Expulsion
*Retaliation towards the victim of any act or incident of dating violence should be considered when administering consequences to the alleged aggressor based on the severity of the act or incident.

**Remediation/Intervention**:  
- Parent conferences  
- Student Counseling (all students involved in a the act or incident)  
- Peer support group  
- Corrective instruction or other relevant learning or service experiences  
- Supportive student intervention (IR&S)  
- Behavioral management plan  
- Alternative placements

5. Warning Signs of Dating Violence.  
A pattern of behaviors may be an important sign that a student is involved in an unhealthy or abusive dating relationship. Warning signs shall be included in the school district’s/charter school’s dating violence policy to educate the school community on the characteristics that a student in an unhealthy or abusive relationship might exhibit. Warning signs may include but not be limited to the following:  

**Examples of Warning Signs** and Statistics:  
- **Name Calling and put downs**- Does one student in the relationship use name-calling or putdowns to belittle or intimidate the other student?  
- **Extreme Jealousy**- Does one student in the relationship appear jealous when the other talks with peers?  
- **Making Excuses**- Does one student in the relationship make excuses for the other?  
- **Canceling or changing plans**- Does one student cancel plans often, and at the last minute? Do the reasons make sense or sound untrue?  
- **Monitoring**- Does one student call, text, or check up on the other student constantly. Does one student demand to know the other’s whereabouts or plans?  
- **Uncontrolled Anger**- Have you seen one of the students in the relationship lose his or her temper or throw and break things in anger?  
- **Isolation**- Has one student in the relationship given up spending time with family and friends? Has the student stopped participating in activities that were once very important?  
- **Dramatic Changes**- Has the student in the relationships appearance changed? Lost or gained weight? Does the student seem depressed?  
- **Injuries**- Does the student in the relationship have unexplained injuries? Does the student give explanations that seem untrue?  
- **Quick Progression**- Did the student’s relationship get serious very quickly?

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2 Adapted from *The Model Policy and Guidance for Prohibiting Harassment, Intimidation, and Bullying On School Property, At School Sponsored Functions And on School Buses*, New Jersey Department of Education, April 2011.
Statistics:

- Victims of alleged aggressors of teen dating violence are more likely to bring a weapon to school.\(^4\)
- Victims of teen dating violence have lower academic achievement and grades of D and F.\(^5\)
- 5% of girls reported missing at least one day of school a month due to safety concerns.\(^6\)
- 43% of teen dating violence victims report that the dating violence experience occurred in a school building or on school grounds.\(^7\)
- 83% of the acts or incidents of dating violence that occurred at school was physical abuse.\(^7\)

Many of these warning signs make a connection to one student in the relationship asserting control and power over the other. Recognizing one or more signs of teen dating violence plays an important role in shaping a policy to prevent, educate and intervene in acts or incidents of dating violence.

\(^3\) Adapted from *A Guide to Preventing Bullying, Teen Dating Violence, and Sexual Violence*, Rhode Island Department of Elementary and Secondary Education, 2008.
\(^5\) Ibid.
6. Information on safe, appropriate school, family, peer and community resources available to address dating violence.

_The following agencies and resources are designed to assist students and their families in the prevention, education, and treatment regarding acts or incidents of dating violence._

**Statewide**

New Jersey Domestic Violence Programs by County.

[http://www.state.nj.us/dca/divisions/dow/resources/countyresourcesdv.html](http://www.state.nj.us/dca/divisions/dow/resources/countyresourcesdv.html)

New Jersey Coalition for Battered Women

Programs and counseling for Domestic and Dating Violence.

24 Hour Helpline: (800) 572-SAFE


**Northern New Jersey**

**Bergen:**

Alternatives to Domestic Violence

24 Hour Helpline- (201)336-7575.

[http://www.co.bergen.nj.us/adv/teendating.htm](http://www.co.bergen.nj.us/adv/teendating.htm)

**Essex County:**

The Rachel Coalition

Responding to domestic violence

24 Hour Helpline: (973)740-1233

[https://www.rachelcoalition.org/](https://www.rachelcoalition.org/)

**Morris County:**

Jersey Battered Women's Shelter

24 hour helpline: (973)267-4763


**Sussex County:**

Domestic Abuse & Sexual Assault Intervention Services

24 hour helpline: (973)875-1211


**Warren County:**

Domestic Abuse and Sexual Assault Crisis Center

24 Hour Helpline: (866) 6BE-SAFE

Central New Jersey

Mercer County:
Womanspace
Domestic Violence and Sexual Assault
24 Hour Helpline: (609) 394-900
Statewide: (800) 572- SAFE

Middlesex County
Women Aware
Moving Beyond Abuse
24 Hour Helpline: (732) 249-4504
http://www.womenaware.net/

Monmouth County:
180, Turning Lives Around – Domestic Violence and Sexual Assault Agency
732- 264 – 4111.
2nd Floor Youth Helpline: 888 -222- 2228. The helpline is available statewide. This helpline is
designed for children and teens that are experiencing incidents of dating or domestic violence.
http://www.180nj.org/

Ocean County:
Providence House- Ocean
Domestic and Dating Violence
24 Hour Helpline: (800) 246-8910
http://www.catholiccharities.org/

Somerset County:
Help and Hope for people affected by domestic abuse.
24 Hour Helpline :(866) 685-1122.
http://www.resourcecenterofsomerset.org/domestic-violence-nj/teen-dating/

Southern New Jersey

Atlantic County:
Atlantic County Women’s Center Violence Intervention Program
24 Hour Helpline: (800)286-4184
www.acwc.org

Camden County:
Jewish Family & Children’s Service
Domestic Abuse Program S.A.R.A.H.
(856) 424-1333
http://www.jfcssnj.org/programs-and-services/Counseling/Domestic-Abuse-Program-Project-SARAH
Camden County:
Camden County Women’s Center
Domestic and Dating violence service for all victims
24 Hour Helpline: (856) 227-1234
www.camdencountywomenscenter.org

Cape May County:
C.A.R.A.
The Coalition Against Rape and Abuse
24 Hour Helpline: (877) 294-2272
http://www.cara-cmc.org/

Cumberland County:
Center for Family Services
24 Hour Helpline: (800) 225 -0196
http://www.centerffs.org/

Part III
Use of the Model Policy and Guidance

This document is presented as a summary guide and model. District boards of education/boards of trustees may add additional provisions or protocols to address local issues and priorities, and may use formats that are consistent with the board of education’s approved policies and procedures.

Part IV
Implementation of the Incidents Involving Dating Violence Policy


All school districts/charter schools are required to adopt or develop a policy in regards to incidents of dating violence that occur at school. The policy must contain at the minimum the following requirements:
1. A statement that dating violence will not be tolerated.
2. Dating violence reporting procedures.
4. Discipline procedures specific to at-school incidents of dating violence.
5. Warning signs of dating violence.
6. Information on safe, appropriate, school, family, peer and community resources available to address dating violence.
Notice of the policy implemented by the school district/charter school shall appear in all district publications that discuss comprehensive rules, procedures, and student conduct.

Each school district/charter school, beginning in the 2011-2012 school year, shall incorporate dating violence education in grades 7-12 through the health education curriculum in alignment with the NJ Core Curriculum Content Standards for Comprehensive Health and Physical Education. The educational program will include, but not be limited to, a definition of dating violence, recognizing the warning signs of dating violence, and the characteristics of a healthy relationship.

Each school district/charter school upon written request by a parent or legal guardian of a student under the age of 18 shall be permitted to examine the dating violence educational materials developed by the school district/charter school. This request should be honored in a reasonable period of time.

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**Part V**

**Educational Resources on Dating Violence**

**Curriculum Resources**

Liz Claiborne Inc.
School based curriculum and other educational resources
http://loveisnotabuse.com

Liz Claiborne Inc. and the Centers for Disease Control
Educational resources
http://www.vetoviolence.org/datingmatters/

Hazelden Safe Dates Prevention Program for Dating Abuse and Violence
http://www.hazelden.org/web/go/safedates

The United States Department of Health and Human Services
Teen Violence Prevention Programs
http://www.childwelfare.gov/systemwide/domviolence/prevention/teen_dating.cfm

**Policy Resources**

Rhode Island Department of Education *Guide to Preventing Bullying, and Teen Dating Violence*

Rhode Island Department of Education Dating Violence Tool Kit
Internet Resources
FREE 1 hour Staff Training from Liz Claiborne & the CDC:

www.cdc.gov/violenceprevention/datingmatters.html

Centers for Disease Control and Prevention
Violence Prevention
http://www.cdc.gov/violenceprevention/

Texas Council on Family Abuse
Teen Dating Violence Information and Resources
http://www.tcfv.org/our-work/prevention/teen-dating-violence-information-resources

The United States Department of Justice
Dating Violence
http://www.ovw.usdoj.gov/datingviolence.html

Futures Without Violence (Formerly Family Violence Prevention Fund)
The Facts on Domestic, Dating, and Sexual Violence.
http://www.futureswithoutviolence.org

Break the Cycle
Dating Violence Resources
http://www.breakthecycle.org

Love is Respect
Dating resources for parents, teens and educators.
http://www.loveisrespect.org

Start Strong Teens
Building Healthy Teen Relationships
http://www.startstrongteens.org/
Appendix

A. Student Safety Plan

STUDENT NAME ____________________________ Grade _______ H.R. _______
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 min-utes 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.

**B. Stay Away Agreement**

**SCHOOL-BASED STAY AWAY AGREEMENT**

The intent of this agreement is to increase safety for students who have been the victim of bullying, 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 student) ____________________________________________

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, direct or indirect (e.g. through friends, electronic) with (name of student) ____________________________________________

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

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C. Student Complaint Form

Student Complaint Form for reporting
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 bullying, sexual harassment, dating violence, or sexual violence:
________________________________________________________________________

Relationship between you and the alleged perpetrator:
________________________________________________________________________

Describe the incident:
________________________________________________________________________
________________________________________________________________________

When and where did it happen? _____________________________________________
Were there any witnesses? [ ] yes [ ] no If yes, who?
________________________________________________________________________

Is this the first incident? [ ] yes [ ] no
If no, how many times has it happened before?
________________________________________________________________________

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: ____________

These documents should remain confidential.