

5517.03 - TEEN DATING VIOLENCE AND ABUSE

(1) The School Board strictly prohibits any act of teen dating violence and abuse committed by one student against another on school property, during a school-sponsored activity, or during school-sponsored transportation.

(2) Teen Dating Violence and Abuse Defined: "Teen dating violence and abuse" is a pattern of emotional, verbal, sexual, or physical violence and/or abuse by one person in a current or past relationship of a romantic nature to exert power and control over another when one or both of the partners is a teenager. Abuse may include insults, coercion, social sabotage, sexual harassment, threats and/or acts of physical or sexual abuse. The abusive partner uses this pattern of violent and coercive behavior to gain power and maintain control over the dating partner. To be subject to this Policy, teen dating violence and abuse committed by one student against another must occur on school property, during a school-sponsored activity, or during school-sponsored transportation.

(3) Reporting Acts of Teen Dating Violence and Abuse

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

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

(c) Any resident of the community or other member of the school community, including students, parents, volunteers, and visitors, who observes an act of teen dating violence and abuse perpetrated by one student against another as described above in paragraph (1), or who has a good faith reason to believe that a student is a victim of teen dating violence and abuse is encouraged to report the matter to the Principal or designee. These reports can be made in person or anonymously, in writing or online.

(d) The principal of each middle and high school in the district shall establish and prominently publicize to students, staff, volunteers, and parents, how a report of dating violence and abuse may be filed either in person or anonymously and how this report will be acted upon. Formal disciplinary action may not be based solely on an anonymous report.

(4) Investigating Reports of Teen Dating Violence and Abuse

(a) Upon receiving a report of alleged teen dating violence and abuse, the Principal or designee shall conduct an investigation of the allegation promptly and the completion of the investigative procedural steps shall be completed within 10 school days. As part of the investigation, the Principal or designee shall contact the parent(s) the day the investigation begins 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.

(b) The investigation of the report should include interviews of the alleged victim, the alleged perpetrator of the teen 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. Each individual will be interviewed separately and at no time will the alleged perpetrator and victim be interviewed together.

(c) The Board reserves the right to investigate a report of teen dating violence and abuse regardless of whether the student who is allegedly the victim of the teen dating violence and abuse wants to pursue

the matter. If an investigation is pursued against the alleged victim's wishes, the Principal or designee will notify the victim and refer the victim to appropriate services for safety planning.

(5) Consequences

(a) At the conclusion of the investigation the Principal or designee will determine whether or not the allegation of teen dating violence and abuse was substantiated. If the Principal or designee determines that a student has committed an act of teen 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 and Policy 5600) When imposing discipline, the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved, shall be considered.

(b) 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)

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

(d) If the Principal or designee believes a crime has been committed, law enforcement will be immediately notified.

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

(6) Support and Reasonable Accommodations

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

1. "Stay Away Contract," that is, a contract with the alleged perpetrator to stay away from the victim, including electronic contact, while on school grounds, on school transportation, and during school sponsored programs and events;

2. Class schedule changes;

3. Protection that will enable safe egress/regress from school, as well as movement within the school; and

4. Referrals for outside support or counseling.

(b) 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 a restraining order has been violated.

(c) Pinellas County Schools Police and/or the School Resource Officer shall respond immediately to a report of a violation of a criminal or civil restraining order.

(7) Other Violations of the Teen 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 teen 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 teen dating violence and abuse.

(c) Disregarding, failing to investigate adequately, or delaying investigation of allegations of teen dating violence and abuse, when responsibility for reporting and investigating allegations of teen dating violence and abuse comprises part of one's supervisory duties.

(8) 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.

(9) Education and Training

(a) Training shall include a procedure for providing professional development to teachers, staff and school administrators in the area of proper identification, investigation, and intervention of teen dating violence and abuse incidents that fall within the scope of the school. It is important to change the social climate of the school and the social norms with regards to teen dating violence and abuse. This requires the efforts of everyone in the school environment – teachers, administrators, counselors, school nurses, and other non-teaching staff (such as bus drivers, custodians, cafeteria workers, and/or school librarians).

(b) The District shall provide instruction to students in comprehensive health education including a teen dating violence and abuse component consistent with state statute and rules of the State Board of Education.

(c) The comprehensive health components listed in Sec. 1003.42, F.S., include a health education curriculum for students in grades 7 through 12 in the area of teen dating violence and abuse. This instruction shall include, but is not limited to, the definition of teen dating violence and abuse, the warning signs of teen dating violence and abuse, the characteristics of healthy relationships, measures to prevent and stop teen dating violence and abuse, and community resources available to victims and perpetrators of teen dating violence and abuse. The curriculum chosen must also have an emphasis on prevention-based education.

F.S. 1003.42, 1006.148

Adopted 6/14/2011

