

Wendell School District No. 232 promotes the comprehensive prevention of and effective and consistent response to incidents of relationship abuse and sexual assault. The district will assist schools in implementing these guidelines as part of existing policies and other related efforts to address social and emotional health, including well-being, bullying, cyber-bullying, harassment, sexual harassment, or other forms of violence among students.

This policy is designed to ensure that every school:

1. Implements comprehensive prevention strategies regarding adolescent relationship abuse and sexual assault;
2. Responds effectively and consistently to incidents of unhealthy or abusive behaviors; and
3. Reports all instances of adolescent relationship abuse and sexual assault to school authorities.

Students and parents/guardians will be informed of the district's policy regarding adolescent relationship abuse and sexual assault and receive a copy of the policy.

Students will be encouraged to contact the principal or designee or other school personnel if they or another student has been abused or sexually assaulted. Students will also be encouraged to report to school authorities if they are aware that another student has committed relationship abuse or sexual assault.

## **DEFINITIONS**

“Abusive behavior” means the intentional use of physical, sexual, verbal, or emotional abuse against a peer or dating partner, including bullying, harassment, sexual harassment, adolescent relationship abuse, sexual assault, or using technology to cause abuse.

“Adolescent relationship abuse” means the use of physical, sexual, verbal, emotional, or technological abuse by a person to harm, threaten, intimidate, or control another person in a relationship of a romantic or intimate nature, regardless of whether that relationship is continuing or has concluded or the number of interactions between the individuals involved.

“Dating partner” means any person, regardless of sexual orientation or gender identity, involved in a relationship with another person, where the relationship is primarily characterized by social contact of a sexual or romantic nature, whether casual, serious, short-term, long-term, or as defined by both persons.

“School climate” refers to the quality and character of school life. School climate is based on patterns of students', parents', and school personnel's experience of school life and reflects

norms, goals, values, interpersonal relationships, teaching and learning practices, and organizational structures.

“Sexual harassment” refers to sexual overtures or conduct, including those that relate to the student’s sexual orientation, that is unwelcome, personally offensive, and affecting morale, thereby interfering with a student’s ability to study or participate in school activities. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, or other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s participation in the educational process;
2. Submission to or rejection of such conduct by an individual is used as a factor for educational decisions affecting the individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual’s education, or creating an intimidating, hostile, or offensive educational environment.

“Sexual assault” means any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts otherwise directed against a person’s sexuality using coercion, by any person regardless of their relationship to the victim.

“Targeted student” means the student who has experienced adolescent relationship abuse or sexual assault as defined in this policy.

“Technological abuse” means the behavior used to harm, threaten, intimidate, control, harass, monitor, coerce, stalk, or victimize, except as otherwise permitted by law, that is perpetrated through the internet, social networking sites, spyware, global positioning system (GPS) tracking technology, cellular phones, or instant or text messages. Technological abuse includes, but is not limited to: monitoring; unwanted, repeated calls or text messages; non-consensual access to e-mail, social networking accounts, text or cell phone call logs; and, pressuring for or disseminating private or embarrassing pictures, videos, or other personal information.

## **ROLES AND RESPONSIBILITIES**

The district will:

1. Designate a specific individual at the district level who is responsible for implementation of the policy, the provision of technical assistance, and training for school personnel on the development and implementation of a comprehensive prevention strategy and effective and consistent intervention and response to incidents of adolescent relationship abuse and sexual assault.
2. Assure students of their rights to be free from relationship abuse and sexual assault, including cyber-harassment.

3. Ensure students know that adolescent relationship abuse and sexual assault violate district policy, that abusive behavior should be reported, and that violators will be subject to disciplinary action.
4. All district personnel are expected to intervene directly or to contact school resource officers or other law enforcement when necessary, whenever they witness or become aware of an incident of adolescent relationship abuse or peer-on-peer sexual assault. There is a duty to report to the principal or designee when any staff member knows or reasonably should have known of an incident of adolescent relationship abuse or sexual assault. Any staff member who permits or fails to report an incident of adolescent relationship abuse or sexual assault may be subject to disciplinary action.

The school will:

### **1. Staffing and Notification**

Designate a specific individual at the school level who is responsible for implementation of the policy, the provision of technical assistance, and training for school personnel on prevention of adolescent relationship abuse and sexual assault and effective and consistent intervention and response to incidents of adolescent relationship abuse and sexual assault.

- b. Review policy and procedures on adolescent relationship abuse and sexual assault annually with all staff and provide recommendations and/or revisions to the policy.
- c. Ensure all staff, students, and parents/caregivers receive the name and contact information of the individual who is responsible for implementation of this policy at the school and district level, a summary of prohibited behaviors, and a copy of this policy at the beginning of the school year, as part of the student handbook and/or information packet, as part of the new student orientation, and as part of the school's notification to parents.
- d. Review policy and procedures on adolescent relationship abuse and sexual assault annually with all staff and provide recommendations and/or revisions to the policy.
- e. Create easy public access to the full text of this policy via school or district websites, or staff and student handbooks, with complaint forms, district policy manuals, contact information for designated personnel.

### **2. Prevention**

- a. Identify an existing collaborative or create a collaborative and engage students and school personnel and, if possible, community-based organizations to collaborate on the development and implementation of comprehensive prevention strategies;
- b. Strengthen students' knowledge, attitudes, and skills for health teen relationships, social and emotional learning, and pro-social behavior, such as positive bystander behavior, through evidence-based or evidence-informed curricula, lesson plans, or other classroom or schoolwide activities;
- c. Strength parents/guardians' knowledge, attitudes, and skills for promoting healthy relationships, social and emotional learning, such as positive bystander behavior through workshops, school newsletter, and other events;

- d. Strengthen school personnel knowledge, attitudes, and skills for promoting healthy relationships and social emotional learning, such as positive bystander behavior through professional development;
- e. Strengthen positive school climate through positive social norm youth-developed campaigns or activities to promote healthy relationships, social and emotional learning, and/or positive bystander behavior; and
- f. Assure students of their rights to be free from relationship abuse and sexual assault including cyber-harassment and that students know that adolescent relationship abuse and sexual assault violate district policy; that abusive behavior should be reported; and that violators will be subject to disciplinary action.

### **3. Intervention and Response**

- a. All school personnel are expected to intervene directly or contact school resource officers or local law enforcement when necessary, whenever they witness or become aware of an incident of adolescent relationship abuse or peer-on-peer sexual assault. There is a duty to report to the principal or designee when any staff member knows or reasonably should have known of an incident of adolescent relationship abuse or sexual assault. Any staff member who permits or fails to report an incident of adolescent relationship abuse or sexual assault may be subject to disciplinary action.
- b. Staff members must intervene or make a report when they witness, become aware of, or reasonably should have known of an incident of adolescent relationship abuse or sexual assault on campus; while traveling to and from school or school-sponsored activities; during the lunch period, whether on or off campus; or perpetrated using school-owned property such as email addresses and servers.
- c. Each incident reported will be promptly investigated in a manner that protects the student experiencing abuse and/or sexual assault's safety and, if requested, the target's confidentiality. Investigation may involve separate interviews with the accused student, targets, and witnesses and should include notification of parents or guardians.
- d. The school will make all efforts to keep a report of adolescent relationship abuse or sexual assault and the results of any investigation confidential to the extent permitted by law, except that the target and accused will be notified of the outcome of an investigation consistent with federal and state laws.
- e. Increase students' safety and well-being by assisting students experiencing abuse and/or sexual assaults in accessing legal protection or by issuing a stay away agreement to the offending student.
- f. Provide early intervention for students who may be engaging in abusive behaviors by recognizing early warning signs and providing appropriate consequences as well as individual or support group counseling and/or referrals to community-based organizations as needed.
- g. Support students experiencing abuse and/or sexual assaults by offering individual counseling, support groups, and/or referrals to local victim service providers who serve minors. Establish relationships with local domestic or sexual violence program and/or health care providers experienced with adolescent relationship abuse and/or sexual assault for access to resources and training.
- h. Minimize negative peer group behavior in response to an incident and increase the safety and well-being of the student experiencing the abuse and/or sexual assault.

It is recommended that all schools adopt, with student input, a student code of conduct regarding adolescent relationship abuse and sexual assault to be followed by every student while on school grounds, when traveling to and from school or school-sponsored activities, and during lunch periods, whether on or off campus.

## **DEVELOPMENT OF PREVENTION STRATEGIES**

Schools will engage steps in the development and implementation of comprehensive strategies for preventing adolescent relationship abuse and sexual assault.

### **Step One – Create a Collaborative**

Schools will identify an existing collaborative or create a collaborative and engage students, school personnel and, if possible, parents/guardians and community organizations from intersecting disciplines (e.g. domestic and sexual violence programs, health care providers, youth organizations, law enforcement, juvenile justice, and community and governmental intervention organizations) in the development and implementation of comprehensive strategies to address adolescent relationship abuse and sexual assault.

Schools will designate a specific staff member who is responsible for overseeing the collaborative and its meetings to develop comprehensive strategies for preventing relationship abuse and sexual assault among students.

### **Step Two – Build Capacity of Collaborative**

The collaborative will work together to build its capacity to provide culturally relevant prevention activities, to integrate prevention efforts with emerging social and emotional learning and positive behavior interventions and support initiatives, and to reduce the risk of relationship abuse and sexual violence by promoting a safe and supportive school environment. The collaborative is encouraged to assess strengths and needs in creating a prevention plan and evaluate the impact of the strategies.

### **Step Three – Design and Implement Comprehensive Prevention Strategies**

Schools will design and are encouraged to build their capacity to implement comprehensive prevention strategies that engage students, parents/guardians, and school personnel over the next five (5) years. By engaging each of these populations, schools can reduce and prevent abusive behaviors and sexual assault from occurring and create a climate that promotes positive peer relationships.

#### **Students**

1. Strengthen students' knowledge, attitudes and skills for healthy relationships by teaching evidence-based curricula in health or related classes.

2. Strengthen students' skills for modeling pro-social behavior and intervening as proactive bystander for the prevention and intervention of abusive behavior and/or sexual assault on campus.
3. Increase awareness among students of students' rights under district policy including how to report and seek help for students who may have experienced relationship abuse or sexual assault on campus.

#### School Personnel and Parents/Guardians

1. Strengthen parents/guardians knowledge, attitudes and skills for promoting healthy relationships including positive bystander behavior through workshops, school newsletter, and other events.
2. Strengthen school personnel's (administrators, teachers, coaches and others) knowledge, attitudes and skills for promoting healthy relationships including modeling pro-social behavior or positive bystander behavior through professional development.
3. Increase awareness among parents of students' rights under district policy including how to report and seek help for students who may have experienced relationship abuse or sexual assault.
4. Increase awareness among school personnel of district policy including their responsibility to report incidents and concerns regarding relationship abuse and sexual assault.
5. Increase awareness among parents/guardians and school personnel of school and community-based resources for students and families.

#### School Climate

1. Strengthen positive school climate by engaging youth in developing social marketing campaigns and activities to promote healthy relationships and positive bystander behavior.
2. Reduce risk for relationship abuse and sexual assault by educating school personnel on how to support healthy teen relationships, implement prevention curricula, and respond effectively to incidents and disclosures.

### **INTERVENTION AND RESPONSE**

Schools will develop and implement an effective and consistent response to adolescent relationship abuse or sexual assault that takes place on school grounds, while traveling to and from school or a school-sponsored activity, during the lunch period, whether on or off campus, and during a school-sponsored activity as well as abusive behavior expressed through technology using district or school-provided computers, e-mail addresses, or servers.

Schools should also develop and implement an effective response to an incident of adolescent relationship abuse or sexual assault that occurs off campus when the incident negatively effects students at schools and interferes with students' access to education and/or extracurricular activities, such as peers or peer groups who actively align on the school campus with either the

student who was impacted by the violence or who engaged in the abusive behavior or sexual assault and engage in unallowable behaviors such as harassment or bullying.

All district personnel are expected to intervene directly or to contact school police when they witness or become aware of an incident of adolescent relationship abuse or peer-on-peer sexual assault. There is a duty to report to the principal or designee when any staff member knows or reasonably should have known of an incident of adolescent relationship abuse or sexual assault on the campus; while traveling to and from school or a school-sponsored activity; during the lunch period, whether on or off campus; or perpetrated using school-owned property such as email addresses and servers. Any staff member who permits or fails to report an incident of adolescent relationship abuse or sexual assault may be subject to disciplinary action.

### **INVESTIGATION OF INCIDENTS**

The principal or designee will investigate all reported incidents of adolescent relationship abuse and peer-to-peer sexual assault. Investigations of peer-to-peer sexual assault will take place in accordance with the district's policy on sexual harassment and/or Title IX policy, and will conform to the U.S. Department of Education, Office on Civil Rights' guidance on implementation of Title IX.

Each incident reported will be promptly investigated in a manner that protects the student experiencing abuse and/or sexual assault's safety, and if requested, the target's confidentiality. Investigation may involve separate interviews with the accused student, targets, and witnesses and should include notification of parents/guardians.

If it is determined that it is more likely than not that adolescent relationship abuse or peer-to-peer sexual assault has occurred, the principal or designee will act appropriately within district discipline codes and take steps to increase the safety and well-being of the student experiencing the abuse and/or sexual assault on campus or at school events.

The school will make all efforts to keep a report of adolescent relationship abuse or sexual assault and the results of any investigation confidential to the extent permitted by law, except that the target and the accused will be notified of the outcome of an investigation consistent with federal and state laws.

If an incident that occurs off campus negatively affects students at school, such as peer groups who actively align on the school campus with either the student who was impacted by the violence or who engaged in the abusive behavior or sexual assault and engage in unallowable behaviors, the principal or designee should take steps to minimize negative behavior and increase the safety and well-being of the student experiencing the abuse and/or sexual assault.

### **SUPPORT SERVICES**

The principal or designee will take steps to increase safety and well-being of the student experiencing abuse and/or sexual assault. This may include offering individual or support group counseling or by referring the student to a local victim service provider who serves minors.

Efforts should also be made to assess the safety and well-being of the student who engaged in the abusive behavior and/or sexual assault. The school may refer the student to individual or support group counseling and/or community-based organizations as appropriate.

School personnel will follow-up separately with students involved to ensure that no further incidents have occurred and that students are not experiencing any further problems related to the incident.

### **PROTECTION AGAINST RETALIATION**

No retaliation will be taken by the district or by any of its employees or students against any complainant or any participant in the complaint process, including witnesses, and will take steps to ensure there is no retaliation against any involved party, and will respond appropriately to any incident of retaliation. Any person found to have retaliated against another individual for reporting an incident of abuse, harassment or assault will be subjected to the same disciplinary action created in accordance with this policy. Those persons who assist or participate in an investigation of abusive behavior are also protected from retaliation under this policy.

### **CONFIDENTIALITY**

Any investigation that takes place pursuant to this policy will, to the maximum extent possible, be conducted in a manner that protects the privacy of the student experiencing abuse and/or sexual assault, complainant, and accused. However, if it is suspected that child abuse has occurred or any law has been violated, such abuse will be reported to the proper authorities under Idaho Code §16-1605. When possible, students will be notified and reminded of limits of confidentiality and be made aware of possible reports to outside officials. Additionally, informing the targeted and accused students of the outcome of an investigation will not be in violation of this policy. Notification of the outcome of the investigation will be made in accordance with relevant state and federal law.

### **PRECLUSION**

This policy should not be interpreted as preventing a student experiencing abuse and/or sexual assault or someone participating in adolescent dating abuse or sexual assault from seeking redress under any other available law, either civil or criminal.

### **RECORD OF ALLEGATIONS**

The district will keep and maintain a confidential written record, including but not limited to, witness statements, investigative reports, and correspondence, from the date any allegation of abusive behavior or sexual assault is reported to district personnel. The information in the written record will include the action taken by the district in response to each allegation.

**POLICY MONITORING**

The district will conduct an annual review of this policy. To monitor and assess incidents and responses as set out in this policy, the district will publish an annual report to the community about school safety, including incidents of adolescent relationship abuse and sexual assault; and track rates of relationship abuse and sexual assault through student surveys (e.g. adding adolescent relationship abuse and peer-to-peer sexual assault questions to school climate surveys or locally adapted national surveys); and implement tracking systems or other mechanisms to provide relevant information for the school community.

**LIABILITY**

The district and its employees will not be liable for any claim which arises out of injury to a person by a person under supervision, custody, or care of the district when acting within the course and scope of their employment and without malice or criminal intent and without reckless, willful and wanton conduct as defined in [Idaho Code §6-904C](#).

**NOTICE**

Students and their parents/guardians will be informed of the district’s policy regarding adolescent relationship abuse and sexual assault and receive a copy of the policy at the time of enrollment in the student handbook. This policy will also be published on the district website.



**LEGAL REFERENCE:**

Idaho Code Sections

Idaho Code Sections

16-1605 – Reporting of Abuse, Abandonment, or Neglect

33-1612 – Thorough System of Public Schools

6-904A – Exceptions to Governmental Liability

IDAPA 08.02.03.160 – Safe Environment and Discipline

Title IX of the Education Amendments of 1972

*Mareci v. Coeur D’Alene School Dist. No. 271*, 250 P.3d 791 (Idaho 2011).

**CROSS-REFERENCE:**

296 – Title IX Policy

296P1 – Title IX Grievance Procedure

506 – Student Harassment

506.50 – Prohibition Against Harassment, Intimidation and Bullying

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Idaho Code Section 33-1612, IDAPA 08.02.03.160, and Title IX of the Education Amendments of 1972 require secondary schools to have a policy on the prevention and response to adolescent relationship abuse and sexual assault. The Center for Healthy Teen Relationships Leadership Committee, an initiative of the Idaho Coalition Against Sexual & Domestic Violence, developed this model policy for secondary schools to use in developing their policies on the prevention, intervention and response to relationship abuse and sexual assault.