



Safe School Policies and Procedures

Native American Youth and Family Center
and Early College Academy

2013 - 2014

This is a comprehensive approach to addressing dating violence, sexual violence, and stalking as part of the Services, Training, Education, and Policies (S.T.E.P.) to Respect Program in the Native American Youth and Family Center's Early College Academy.

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*Each year these policies will be reviewed and revised as Portland Public School District and Oregon State policies are revised.

NAYA EARLY COLLEGE ACADEMY MISSION STATEMENT

"The NAYA Early College Academy is committed to creating a positive education emphasizing student empowerment, academic excellence, and the integrity of core American Indian and Alaska Native values in partnership with parents, families, elders, and community members for generations to come."

NAYA Early College Academy's 10 Core Values

Respect: We believe in individual responsibility to show love, acceptance, and kindness to everyone.

Balance: We value the importance of maintaining the many interrelating parts of our lives and adapting to bring together the old ways and the new ways.

Pride: We show our pride by honoring our ancestors and our heritage, feeling good about ourselves and our people, and taking care of each other.

Giving: We practice the value of generosity by putting the community before the individual and honoring each other through service and respect.

Community: We value the interconnection that we have with each other, our environment, and our shared traditions. We work collectively to honor the needs of the community rather than the individual in order to create a safer environment of caring, communication, and respect.

Tradition: We follow the practice of honoring and passing on our ancestors' teachings. We believe that all tribes and cultures bring valuable and important contributions to our community.

Kindness: We are mindful of how we relate and our behaviors impact others. We strive to live in a compassionate, gentle, caring, and trustworthy way towards one another and our community.

Accountability: We own our responsibility for our actions and the results of those actions. We are responsible for how we speak to and relate with each other and admit when we make mistakes.

Diversity: We embrace the diversity of our community and practice openness, pride, and sharing in order to honor our differences.

Leadership: We value and encourage the many kinds of leadership that we can exhibit. We promote the growth of all of the many positive forms of leadership that our community exhibits.

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Purpose

The purpose of this policy is to guide the NAYA Family Center with respect to the rights and responsibilities of youth and employees in the context of Dating Violence and Sexual Violence within the NAYA Early College Academy. Teen dating violence, stalking, sexual assault, and all forms of sexual violence are not tolerated at the NAYA Family Center. NAYA Family Center has disciplinary processes that hold students who have been abusive appropriately accountable and provides primary early intervention curriculum and services through a restorative justice, culturally-competent, and unbiased lens. Disciplinary processes offer survivors meaningful and safe opportunities to engage in services. All investigations of abuse will be conducted in a survivor-centered manner.

Definitions

As used in this Policy, the following terms have the following definitions:

Accommodation: A change or modification to a student's school schedule, classes, participation or environment that maintains access to meaningful education and safety for a student who is experiencing stalking, dating violence, or sexual violence.

Cultural Competence: The attitudes, knowledge, and skills that enable the Native American Youth and Family Center to educate and respond effectively to youth and parents from diverse cultures, groups, and communities.

Dating Partner: Any person, regardless of sex 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 or long-term.

Dating Violence: The use of abusive behaviors by a person to harm, threaten, intimidate or control a current or former dating partner who may be of any age and of any gender identity and any sexual orientation. Dating violence includes, but is not limited to:

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. Includes but not limited to: shaking, arm-twisting, pushing, hitting, kicking, slapping, choking, hair pulling or any behavior that results in non-accidental injury.

Emotional Abuse: The infliction of mental or emotional distress by threat, coercion, stalking, humiliation, or unwanted other verbal or nonverbal conduct. Examples include but are not limited to: extreme jealousy, insults, controlling a person's basic decisions – what to eat, how to dress, where to go, etc.

Sexual Violence/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.

Examples include but are not limited to: unwelcome sexual comments, forcing someone to engage in kissing or another sexual act, and/or rape.

Technology Abuse: Emotional or psychological harm and/or control tactics perpetrated through the use of email, social media, cell phones, or other electronic devices. This can include, but is not limited to, direct threats, monitoring of someone's whereabouts, name calling, and using GPS to track locations.

Domestic Violence: A pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone.

Healthy Relationship: While healthy relationships of kinship and connection should exist between good friends, siblings, parents and children, youth and mentors, and intimate couples, this policy is targeted to the dating relationships of teenage youth. In a healthy dating relationship, partners express mutual respect, mutual trust, mutual support, freedom, independence, and economic equality.

Parent: Parent or guardian or other legal custodian of a youth.

Perpetrator: An individual who has committed any act or threat of dating or sexual violence.

Petitioner: One who files a court order such as a stalking order or protection order.

Prevention & Intervention Programs: Prevention and intervention efforts strive to ultimately reduce the number of individuals who perpetrate sexual or dating violence and the number of individuals who are violence survivors by reducing risk factors and promoting protective factors. In addition, comprehensive prevention and intervention strategies aim to address factors at each of the levels that influence sexual and dating violence - the individual, relationship, community, and society.

Protection Order: A civil or criminal court order issued in any jurisdiction for the protection of a victim of dating violence or sexual violence that restricts the conduct of an individual toward the victim. Includes but is not limited to stalking orders and restraining orders.

Requestor: A person who has requested accommodations or filed a grievance.

Respondent: The person who is required to answer a petition for a Protection Order.

Safe Space: A place where anyone can relax and be fully self-expressed, without fear of being made to feel uncomfortable, unwelcome, or unsafe on account of biological sex, race/ethnicity, sexual orientation, gender identity or expression, cultural background, age, or physical or mental ability; a place where the rules guard each person's self-respect and dignity and strongly encourage everyone to respect others.

Safety plan: An individualized set of actions, strategies, and resources that addresses a youth's safety with regard to Dating Violence or Sexual Violence.

School employee: Any person who is employed by NAYA Family Center and/or who works in the NAYA Early College Academy, regardless of position.

Sexting: Is the act of sending sexually explicit messages and/or photographs, primarily between mobile phones. Sexting can be a form of technology abuse used by a perpetrator to hurt an individual by shaming or engaging or unwanted sharing of explicit material.

Sexual harassment: Includes but is not limited to a demand for sexual favors in exchange for benefits or unwelcome conduct of a sexual nature that has the purpose or effect of unreasonably interfering with a student's educational performance or that creates an intimidating, offensive or hostile educational environment. On the continuum of violence sexual harassment is at one end and sexual violence at another. Please see ECA handbook for policies in regard to sexual harassment.

Sexual Violence: Whether the perpetrator is known to the survivor or is a stranger sexual violence (SV) is any sexual act that is perpetrated against an individual's will. Sexual Violence encompasses a range of offenses, including a completed nonconsensual sex act (i.e., rape), an attempted nonconsensual sex act, abusive sexual contact (i.e., unwanted touching), and non-contact sexual abuse (e.g., threatened sexual violence, exhibitionism, verbal sexual harassment).

Stalking: A course of conduct directed at a specific person that involves repeated (two or more occasions) occasions of visual or physical proximity, nonconsensual communication, or verbal, written, or implied threats, or a combination thereof, that would cause a reasonable person fear for his or her safety.

S.T.E.P. 2 Respect Program: A program at NAYA Family Center committed to leading a community-wide effort to end sexual violence by developing and providing Services Training Education and Policies for the Early College Academy around the issues of Teen Dating Violence, stalking, sexual assault, and domestic violence.

Student: Any individual who is or has been enrolled in and is attending the NAYA Early College Academy or after-school/Summer programming at the time of the grievance.

Survivor: The student who is experiencing Dating Violence or Sexual Violence as defined by policy.

Title IX: The federal law stating that "no person in the United States shall on the basis of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance". A Title IX violation includes but is

not limited to complaints regarding sexual harassment and sexual violence. A verbal or written report by the student would trigger a formal investigation by the Title IX coordinator

Title IX Coordinator: Is a neutral party who is there to impartially investigate whether an incident occurred but not to recommend punishments or provide any therapeutic supports. The Associate Director of Youth and Education Services holds the Title IX Coordinator role at NAYA Family Center.

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VAWA: Violence Against Women Act (VAWA) is a broad-based federal law formulated in 1994 in response to the increasing violence against women in America. VAWA provides for education, research, treatment of domestic and sex-crime victims, creation of rape crisis centers and battered women's shelters. The Act also authorizes additional local police, prosecutors, victim advocates, and a domestic violence hotline to check the increasing violence. It distributed funds to increase safety for women on public transportation, for shelters, and for youth education programs. VAWA-related crime addressed in this Safe School Policy includes Teen Dating Violence, Stalking, Sexual Assault and Domestic Violence.

Youth Empowerment Coordinator: A survivor's advocate working within the NAYA Family Center, and specifically within the NAYA Early College Academy to offer a safe, supportive environment for youth experiencing Dating Violence or Sexual Violence. The Youth Empowerment Coordinator also offers empowerment groups and coordinates NAYA Family Center Healthy Relationship activities.

Applicability

This policy applies in any situation where a youth's rights and responsibilities, are affected by the actions of other youth at or during school, including before and after school hours, while traveling in vehicles owned or funded by the NAYA Family Center and NAYA Early College Academy, and at all NAYA-sponsored or NAYA-related events and activities. Youth rights and responsibilities may also be triggered by the actions of non-youth or by actions that take place off NAYA grounds.

Dating Violence and Sexual Violence impair a student's access a meaningful education and the right to safety on the NAYA campus. Youth who have experienced Dating Violence or Sexual Violence on the NAYA campus, or during an off-campus NAYA activity, have the right to request that the NAYA Family Center address their rights according to this policy regardless of whether the school/organization takes additional disciplinary action against the perpetrator.

Confidentiality

Confidentiality is one of the most important factors in a teen's decision to seek help from an adult on any issue, particularly Dating Violence and Sexual Violence. There are several ways in which we maintain strict confidentiality standards including but not limited to:

- o Keeping files regarding incidents and reports under this Policy in a locked file cabinet at all times.

- Limiting access to electronic files.
- Clearly articulating the limits of confidentiality to youth.
- Restricting discussion about youth status as survivors and perpetrators in public areas.

Any sharing of information with other agencies or persons other than NAYA staff must be accompanied by a Release of Information (ROI) that is signed by the youth. The primary purpose of confidentiality as it relates to client records and information is to provide anonymity and protection for the youth in order to facilitate a trusting relationship between the youth and the supporting staff. There are four general areas of exception to this policy of confidentiality: 1) medical emergency, 2) legal - only when ordered or subpoenaed by a court of law; 3) child abuse – Oregon law requires that any worker with knowledge of physical abuse, sexual abuse, or neglect which leads to harm of a child to be reported to DHS Child Welfare immediately; and 4) when a youth is in danger of harming themselves or others.

The NAYA Early College Academy's Safe School Policies extends the need for confidentiality to include disclosures to a minor youth's parent/guardian. To the extent possible, the ultimate decision whether or not to notify a survivor's parent(s)/guardian(s) that she/he is seeking accommodation under this Policy belongs with the youth. The NAYA Early College Academy believes that supportive parental involvement in the lives of teens experiencing dating violence is desirable, and we encourage school employees to work together with youth experiencing dating violence, sexual violence and stalking to find ways of involving parents in ensuring their children's safety. If youth choose to notify their parents that they are experiencing dating violence or sexual violence – and we believe that most youth will choose to involve their parents – employees are urged to assist youth to develop a plan for such disclosure, including meeting with youth and parents together. However, if disclosure to a youth's parent(s)/ guardian(s) would threaten the youth's health or safety, we encourage school employees to restrict such disclosures to the extent permissible by law.

Mandatory Reporting

All employees of the NAYA Family Center are by law “mandatory reporters” of child abuse and neglect pursuant to ORS 419B.005 to 419B.050. When reporting Dating Violence or Sexual Violence staff should report based on the severity of the incident, and the perceived safety level of the survivor. Staff must report on youth under 18 who report witnessing physical or sexual violence of a parent or guardian. Staff must also make a child abuse report if a youth reports sexual assault and/or who fear threat of harm. Staff are to empower youth to guide the reporting process and to be a part of the conversation of when and how to involve parents or guardians. For further guidance in regard to contacting Child Protective Services or other appropriate agency, NAYA Family Center employees should contact the Title IX Coordinator, Youth and Education Services Director, and/or Family Services Director.

Duty of School

The NAYA Family Center shall designate at least one employee to serve as the Youth Empowerment Coordinator who shall provide a specialized response to Dating Violence and Sexual Violence on campus and act as a liaison between the school and the youth experiencing such violence.

All employees of NAYA have a duty to respond quickly and effectively when they suspect or become aware of an incident of Dating Violence or Sexual Violence. When a youth discloses an incident to an employee, or if an employee witnesses an incident, the employee must take the following actions with the perceived survivor and make a timely referral to the appropriate Youth Empowerment Coordinator who shall take the following actions as soon as possible:

- Inform the student of the Safe School Policies and his/her rights under the policy, including accommodations and the grievance process.
- Provide the youth with a list of local resources, including on-and off-campus services and refer him/her to appropriate services.
- Create a safety plan that addresses on and off campus safety.
- Assist with the attainment and enforcement of Protection Orders.
- Offer ongoing assistance and advocacy to the student throughout the student's school career.
- The employee shall document the action in writing using the designated form attached to this Policy and located in the Early College Academy office and provide the documentation to the Youth Empowerment Coordinator. After an employee refers a student to the Youth Empowerment Coordinator, the employee shall take whatever steps are lawful and reasonably necessary to ensure the youth's safety pending action by the Youth Empowerment Coordinator.

These duties are in addition to any steps the employee is required to take under the NAYA Early College Academy disciplinary code, including duties related to witnessing and intervening in prohibited conduct. For further guidance and clarification on compliance with expected staff duties, NAYA Family Center employees are encouraged to contact the School Administrator.

In performing these duties, and to the extent lawful and reasonably possible under the circumstances, employees shall act in a culturally competent manner. At a minimum, cultural competence includes utilizing strategies that reflect the unique cultural traditions and experiences of diverse groups through each phase of the helping process. Resources and tools shall be developed that address diverse community needs and incorporate culturally appropriate information into prevention and response efforts. Employees shall make all reasonable efforts to communicate effectively and convey information in a manner that is easily understood by youth, parents, and the community, including persons of limited English proficiency, those who have low literacy skills or are not literate, and individuals with disabilities. Employees are encouraged to utilize all resources available from the NAYA Family Center and other community organizations specializing in Dating Violence and Sexual Violence.

S.T.E.P. 2 Respect Teacher and Staff Trauma-Informed Intervention Model B.R.E.A.T.H.E.

Youth rarely report violence or abuse to authority figures. If a student chooses to disclose abuse or a concern to you, your reaction can make a big impact. Remain calm and just remember to **BREATHE**.

Believe

- Assure youth you believe him/her and that this is a safe space

Respect

- Use non-judgment, do not discriminate against choices, ethnicity, creed, age, gender, sexual orientation, etc.

Environmental Safety

- Move to a safe confidential area to talk
- ensure their emotional and physical safety

Affirm

- Affirm, validate experience, respond calmly

Talk

- Make appropriate referrals for supportive services
- Continue to validate and offer referrals for ongoing concerns
- Be aware of any symptoms of vicarious trauma and practice self-care

Help

- Create a supportive environment to collect information
- Don't make the student have to tell the story multiple times if you can help it
- Refer youth to resources that may help
- Let student know there is a reporting process at school to ensure their safety

Empower

- Empower youth and parents/guardians (if appropriate) to choices surrounding the reporting process
- Empower youth survivor to lead the reporting process

Accommodations

Any youth who has reported Dating Violence or Sexual Violence may request and/or receive accommodations from the NAYA Family Center in order to preserve his or her access to a meaningful education and safety on campus. Accommodations shall be limited to school enrollment, participation, transportation, or the environment of the student experiencing Dating Violence and Sexual Violence. Changes to a perpetrator's enrollment, participation, transportation or environment may only be made through the grievance procedure described below.

NAYA Family Center employees shall refer all requests for accommodations to the Youth Empowerment Coordinator. Level One and Level Two accommodations may be made orally or in writing by a youth or parent/Guardian on behalf of the youth to any employee of NAYA Family Center or

directly to the appropriate Youth Empowerment Coordinator. The Youth Empowerment Coordinator shall document a request in writing on behalf of the student and shall confer with the School Administrator. The School Administrator, or his or her designee for this purpose, shall provide a written decision to the student as soon as possible, but in all cases a decision shall be made within five (5) business days of the request. A denial for accommodation shall include the reasons for the denial.

All requests and plans for accommodation shall be kept strictly confidential. For example, the Youth Empowerment Coordinator shall notify the student's teachers when an accommodation impacts their classrooms, but not *why* the accommodation is in place. At no time shall any staff notify the perpetrator of the student's request for accommodation or require the survivor to pursue a grievance against the perpetrator through the grievance process or the criminal justice system. The Youth Empowerment Coordinator will provide information and education about the process to enable the student to make an informed decision.

All accommodations under this policy are voluntary; the student may choose to decline or rescind any accommodation at any time by notifying the Youth Empowerment Coordinator or School Administrator. The student shall not be subject to any retribution or disciplinary action for such decision and shall not lose the right to request and receive future accommodations.

Level One Accommodation

Level One accommodation are those that require a minor change to the student's enrollment, participation, or environment, do not require a significant expenditure of school resources, and are not already provided.

Upon receiving a Level One accommodation, the Youth Empowerment Coordinator shall schedule a meeting with the youth to discuss the plan. If the student is a minor and gives consent, the student's custodial parent shall be notified. If there are two custodial parents, only one need be notified. Level One accommodation shall be granted If parental notification is requested by the youth or required by law or other NAYA policy, the Youth Empowerment Coordinator shall assist the student in developing a plan for safely involving the youth's parent(s), including meeting with the student and parent(s) as necessary.

Examples of Level One accommodations include, but are not limited to, the following:

- Change of class seat assignment
- Change of student's class schedule
- Permission to leave class (within reason) to see a counselor, NAYA Youth Advocate, Domestic Violence Advocate, Sexual Assault Advocate, Youth Empowerment Coordinator or social worker on campus
- Private space for meeting with counselors, NAYA Youth Advocate and employees regarding Dating Violence and Sexual Violence issues
- Excused absence for classes missed due to dating or sexual violence, and stalking provided weekly check-in meetings are scheduled with the Youth Empowerment Coordinator
- Makeup class work, including homework, quizzes, tests, and any other graded work, for classes missed due to Dating Violence or Sexual Violence.

Level Two Accommodation

Level Two accommodations are those that require a major change to the student's enrollment, participation, or environment or require a significant expenditure of NAYA resources.

Upon receiving a request for a Level Two accommodation, the Youth Empowerment Coordinator shall schedule a meeting with the student and school administrator to discuss the request and plan. If the student is a minor and gives consent, the student's custodial parent shall be notified. If there are two custodial parents, only one need be notified.

Examples of Level Two accommodations include, but are not limited to, the following:

- Alternative education plan for student
- School transfer for student

Denials of plans for Level One or Level Two accommodations may be appealed within ten (10) days of the denial using the grievance procedure described below.

Grievance Procedure

Title IX of the Education Amendments of 1972 prohibits discrimination based on sex in educational programs and activities that receive federal financial assistance. To ensure compliance with Title IX and other federal and state civil rights laws, the NAYA Family Center has developed an internal policy that prohibits sex discrimination and sexual misconduct. Sexual misconduct and sexual violence have been recognized as forms of discrimination in violation of Title IX.

The NAYA Family Center grants youth the right to present grievances to school or organizational authorities and receive a prompt response from NAYA officials. The grievance policy describes the procedures for presenting a grievance; these procedures are explained below in the context of Dating Violence and Sexual Violence.

A student who is experiencing Dating Violence or Sexual Violence may file two types of grievances under this procedure:

- 1) Appeal the denial of a plan for accommodation.
- 2) Request for disciplinary investigation of an alleged perpetrator which could result in changes in the perpetrator's school enrollment, participation, or environment.

A youth may file a grievance on his/her own, without parental involvement. A parent may file a grievance on behalf of a student with the student's written consent. Parental communication is highly valued and a parent may make a verbal grievance to the School Administrator or Youth Empowerment Coordinator, without the student's written consent.

A grievance requesting disciplinary action against a perpetrator may be based on either one incident of Dating or Sexual Violence or a course of conduct that includes more than one incident. In either case, the school administrator or designee handling the grievance shall consider the entire history of the relationship between the requesting student and the perpetrator, regardless of length, when considering an appropriate resolution.

For a grievance to be effective, the requesting student shall file with NAYA Family Center, a written grievance with the assistance of the Youth Empowerment Coordinator, who shall promptly notify the appropriate School Administrator. The School Administrator shall attempt to resolve the grievance by holding individual meetings with the requesting youth and relevant employees. The School Administrator may designate other Administrative staff to resolve the grievance. If the grievance requests disciplinary action against an alleged perpetrator, the School Administrator shall also meet individually with the alleged perpetrator. At no time will the School Administrator meet with both the requesting youth and the perpetrator together in order to ensure survivor safety. The content of all meetings held in pursuant to this process shall be kept confidential.

The School Administrator shall work together with the requesting student to create a resolution that is acceptable to him/her to adequately address the requesting student's safety both on and off campus to the extent reasonably feasible. The resolution may utilize the accommodations listed in this policy or any other accommodations agreeable to the requesting student. No resolution shall be considered final unless agreed to by the requesting student, the alleged perpetrator (if necessary), and the school. Neither mediation nor peer counseling is an acceptable resolution to a Dating or Sexual Violence grievance. The School Administrator shall not offer either as a proposed resolution. Voluntary transfer is a final resolution only if the requesting student consents.

If the School Administrator is able to resolve the grievance, the School Administrator shall document the resolution in writing and provide a copy to the requesting student, perpetrator (if necessary), and any relevant employees.

If the School Administrator is unable to satisfactorily resolve the grievance for the requesting student within ten (10) days, the requesting student may file a written complaint with NAYA Family Center's Deputy Director who has jurisdiction over the Early College Academy. The Deputy Director shall attempt to resolve the grievance.

If the School Administrator or NAYA Deputy Director is unable to satisfactorily resolve the grievance within ten (10) days, any party may request a formal hearing, to be conducted according to the procedures set forth in the Safe School policy.

A student who is a survivor of Dating or Sexual Violence has the following rights to the extent allowed by the hearing process and permitted by law:

- The right to express his/her wishes regarding resolution to the hearing officer.
- The right to have his/her safety considered and respected at all stages of the process.
- The right to be notified of time, location, status, and outcome of the hearing in a timely manner.
- The right to be present during the hearing.
- The right to have the Youth Empowerment Coordinator, parent, or Youth Advocate present during the hearing process.
- The right to present a survivor impact statement which will become part of the record.
- The right to have accommodations addressed in any resolution.
- The right to meet with the employees representing the NAYA Family Center and NAYA Early College Academy in the hearing process.

Following the hearing, the appointed hearings officer shall provide the School Administrator written findings and recommendations. Upon receipt of the hearing officer's report, the School Administrator shall issue a final decision in writing and provide copies to the requesting student, the perpetrator (if necessary), and the perpetrator's parent(s) (if necessary) dependent upon the given age of the perpetrator and other determining factors.

Disciplinary Procedure

NAYA Family Center has disciplinary processes that hold students who have been abusive appropriately accountable and provide early interventions through a restorative justice lens. Disciplinary processes offer survivors meaningful and safe opportunities to engage. All investigations of abuse will be conducted in a unbiased, survivor-centered manner. Survivors will receive immediate support and investigations will proceed with the guidance and consultation of the survivor. Furthermore, the alleged perpetrator is not entitled to know the identities of their accuser(s), especially when the case involves VAWA-related crime. The survivor, within the discretion of state law, will choose when and how to notify and involve their parental and guardian unit. In some cases, parental notification will endanger the survivor and prevent the survivor from obtaining important services. In these cases, guardians/parents should not be notified unless the survivor voluntarily consents in writing. A conference will be held with the survivor outside of the presence of the alleged perpetrator, due to reasons of power and control, and they may be accompanied by a parent/guardian or other representative. For further support available to survivors please refer to the Accommodations and Grievance sections of this NAYA Family Center Safe School Policies.

NAYA Family Center is committed to providing early intervention services in regard to Teen Dating Violence. When early warning signs of abusive behavior are observed and/or reported NAYA will inform parents and youth about discipline policies, procedures, rules. Youth exhibiting problematic behavior will be encouraged to participate in available school-based restorative justice interventions where the unhealthy behavior(s) exhibited by the youth will be acknowledged and healthy behaviors reinforced. Parents will be informed of how they can support their youth's success.

In cases of possible suspension, the alleged perpetrator shall have a meeting with an administrator or an administrator's designee (such as a teacher, Youth Empowerment Coordinator, or Title IX Coordinator) and their parents/guardians. There must be a hearing before expulsion prior to a student being expelled from the NAYA Family Center. The alleged perpetrator and their parents are entitled to appear in person, and to be represented by an attorney or advocate. Further, the alleged perpetrator may be suspended from attending school until the hearing and is not entitled to know the identities of his or her accusers, especially when the case involves VAWA-related crimes of Dating Violence and Sexual Violence.

Administrators may recommend a student be expelled from NAYA Family Center for some types of Teen Dating Violence-related assaults, including a first-time offense. Expulsion may be recommended when the accused's presence at school threatens to disrupt the instructional learning environment or cause danger to property or cause serious physical injury to another person except in cases of self-defense. Administrators conducting an investigation will determine when recommendation for expulsion is inappropriate such as in the case of self-defense and like circumstances

Training for Employees

NAYA Family Center and NAYA's Healing Circle (NAYA's Family Services program working to address domestic and sexual violence) shall work together, possibly with other community organizations, to provide trainings on understanding, preventing and effectively handling Dating Violence and Sexual Violence.

Basic training for all NAYA employees shall include:

- (a) Defining the issues of Teen Dating Violence and sexual violence
- (b) Recognizing warning signs
- (c) The importance of, and maintaining, confidentiality and safety
- (d) The laws pertaining to interpersonal violence
- (e) Appropriate school-based interventions
- (f) Identifying available community resources.

Basic trainings shall be held annually and reasonably organized to reach all members of the NAYA Family Center, including youth, educators, parents/guardians, administrators, and other direct service staff. Such trainings may be facilitated by Youth Empowerment Advocate and a representative from NAYA Healing Circle and/or another community agency that serves victims of domestic or sexual violence.

Schools will provide training to educators on methods of teaching the dynamics of power and control in dating relationships, as well as strategies for effectively teaching the Teen Dating Violence prevention curriculum developed by the Healing Circle and S.T.E.P 2 Respect advocates. Educators will also receive information on the barriers teenagers face in ending abusive relationships, and information on resources from which teenagers can seek help and services for themselves and for others.

School-based advocates shall receive additional training through the YWCA of Portland on more specialized topics including: theories and dynamics of sexual and dating violence, barriers to teens leaving abusive relationships, characteristics of healthy and unhealthy relationships, effects of dating and sexual violence on survivors, dating violence in special populations, cultural competency in handling dating and sexual violence incidents, crisis intervention, lethality assessment and safety planning, intersection of dating violence and other school safety issues, and applicable district and federal laws.

Student Education

NAYA Family Center shall provide youth with opportunities to learn about and better understand Dating Violence and Sexual Violence, and healthy relationships, and ways to prevent and handle Dating Violence and Sexual Violence in an effective way. While schools should encourage teachers to incorporate real world issues, such as dating violence and sexual violence, into every class, it is recognized that the primary setting for this is likely to be a health or life skills class. It is encouraged that the Honor the Core Curriculum, a culturally competent learning tool developed by the S.T.E.P. 2 Respect program, be incorporated into NAYA classrooms every year. Honor the Core Curriculum shall include information about understanding, preventing and effectively handling Dating and Sexual Violence in its curricula.

(1) NAYA will teach on-going curriculum or educational presentations to youth on Teen Dating Violence, sexual violence, and acquaintance rape prevention. The curriculum may include:

- (a) Defining abuse in teen dating relationships, including rape, and methods to recognize abuse.
- (b) Identifying societal expectations of males and females that contribute to violence and abuse, including discussing discrimination and oppression and how these issues relate.
- (c) Examining the role of the media in supporting sex role stereotypes and how these stereotypes, if believed, are a set-up for abuse and violence. (Media literacy)
- (d) Exploring how teens can help themselves or a friend, including where to find legal, medical, and mental health services, and active bystander training.
- (e) Defining healthy and respectful behavior and relationships.

(2) In addition to curriculum sessions, NAYA Family Center should provide peer training programs, special seminars, media or theater presentations combined with discussion groups, or workshops. (S.T.E.P. 2 Respect Groups)

(3) ECA should also incorporate dating and sexual violence education that is age-appropriate into annual health curriculum for youth in grades 9-12.

Notice of Policy

NAYA Early College Academy is committed to informing the school community on policies regarding Dating violence and Sexual Assault. In addition to the established process for publicizing the NAYA Family Center and NAYA Early College Academy policies, the school shall take the following actions to provide notice of this policy to youth and parents:

- Link the Notice of Policy on the NAYA Family Center website
- Send a copy of the policy, including the name of the designated Youth Empowerment Coordinator, to parents of NAYA Early College Academy youth at the beginning of each school year
- Disseminate the policy to all youth at the beginning of each school year and/or at the new youth orientation
- Post student rights fact sheets in classrooms, including the name of the designated Youth Empowerment Coordinator and Title IX Coordinator

Documentation

Youth Empowerment Coordinator and Title IX Coordinator shall both maintain a complete file for each case of Dating Violence or Sexual Violence that they address.

The file shall contain written documentation of every action taken by a school official on behalf of a student experiencing Dating or Sexual Violence. Employees who take any action on behalf of a youth experiencing these shall document the action in writing and provide the documentation to the Youth Empowerment Coordinator. Youth Empowerment Coordinator's files shall be kept in a secure, locked

filing cabinet, not to be placed in the student's school record file. School employees shall refrain from sharing confidential youth information with other school employees, youth, or community members, unless disclosure is required by law or is necessary to protect the youth's safety. Any notification made must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

Access to student school records is governed by state, federal and district laws. Student school records are available to parents/guardians upon request and information put into those records should be limited so as to not violate student confidentiality as required under VAWA. Confidential files will be securely stored in a locked file by the Youth Empowerment Coordinator and the Title IX Coordinator.

Enforcement of Protection Orders

Enforcement of Protection Orders is critical to ensuring safety for youth experiencing Dating or Sexual Violence.

Upon receiving notice that a youth holds a protection order, the Youth Empowerment Coordinator shall immediately schedule a meeting with the protected/petitioning youth to create a plan for enforcement of the Protection Order on the school campus, (even if the restrained/respondent individual is a youth). In addition, the Youth Empowerment Coordinator shall provide the protected/petitioning youth with information about reporting violations of the Protection Order, assist him/her with reporting any violations, and provide him/her with a list of campus and community resources.

If the restrained/respondent individual is a student, the school shall make any necessary changes to the restrained/respondent student's school enrollment, participation, or environment in order to comply with the Protection Order and ensure the protected/petitioning student's safety. In addition, the Youth Empowerment Coordinator shall work with the protected/petitioning student and the school to make any changes to the protected/petitioning student's school enrollment, participation, or environment to which he/she consents and that are reasonably necessary to ensure his/her safety.

Changes to a restrained student's school enrollment, participation, or environment that are made pursuant to a Protection Order do not require a written complaint or grievance by the student. The restrained student may file a grievance using the procedures set forth in this policy to challenge any changes made to his/her school enrollment, participation, or environment to enforce a Protection Order.



NAYA Early College Academy

DATING and SEXUAL VIOLENCE

Request for Accommodation

The school administration will provide a decision of accommodations within five (5) business days of receiving this document.

Confidentiality is one of the most important factors in a teen's decision to seek help from an adult on any issue, particularly Dating Violence and Sexual Violence. Any sharing of information with other agencies or persons other than NAYA staff must be accompanied by a Release of Information (ROI) that is signed by the student. The primary purpose of confidentiality as it relates to client records and information is to provide anonymity and protection for the student in order to facilitate a trusting relationship between the student and the supporting staff.

Requesting Student Name: _____ Student ID: _____

Grade: _____ Date: _____ Time: _____ Advisor: _____

Please answer the following questions about the most recent or most serious incident:

Describe the relationship between you and the perpetrator (perpetrator's name optional):

Describe the incident: (Please give as much detail as possible.)

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:

What accommodation(s) are you requesting? Please check all that apply.

- ☐ Change of class seat assignment
- ☐ Change of student's class schedule
- ☐ Permission to leave class to see a counselor, NAYA Youth Advocate, Domestic Violence Advocate, Sexual Assault Advocate, Youth Empowerment Coordinator or social worker on campus
- ☐ Private space for meeting with counselors , NAYA Youth Advocate and employees regarding dating violence and sexual violence issues
- ☐ Excused absence for classes missed due to dating or sexual violence, and stalking provided weekly check-in meetings are scheduled with the Youth Empowerment Coordinator
- ☐ Makeup class work, including homework, quizzes, tests, and any other graded work, for classes missed due to dating violence or sexual violence or threat thereof

I certify that all statements made in this request for accommodation 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 to respond to this request.

Signatures:

Requesting Student: _____ Date: _____

School official receiving request: _____ Date: _____

If this request was filled out by someone other than the requesting student:

Name (printed): _____ Relationship to requesting student: _____

Signature: _____ Date: _____

Notes of action(s) taken:

Additional information from requesting student or employee:



NAYA Early College Academy

DATING and SEXUAL VIOLENCE

Student Grievance

The School Administration will provide a resolution to the grievance within ten (10) business days upon receiving this document.

Confidentiality is one of the most important factors in a teen's decision to seek help from an adult on any issue, particularly Dating Violence and Sexual Violence. Any sharing of information with other agencies or persons other than NAYA staff must be accompanied by a Release of Information (ROI) that is signed by the youth. The primary purpose of confidentiality as it relates to client records and information is to provide anonymity and protection for the youth in order to facilitate a trusting relationship between the youth and the supporting staff.

Requesting Student Name: _____ Student ID: _____

Grade: _____ Date: _____ Time: _____ Advisor: _____

Please describe your grievance

- Appeal of a Request for Accommodation denial
- Request for disciplinary action against an alleged perpetrator, including changes to the alleged perpetrator's school enrollment, participation, or environment

If requesting disciplinary action, please print the name of the perpetrator:

Name: _____

Other (please specify):

If appealing denial of a request for accommodation, please attach original accommodation request.

If requesting disciplinary action against another student, please answer the following questions about the most serious incident:

Describe the relationship between you and the perpetrator:

Describe the incident:

When and where did it happen? (Please give as much detail as possible)

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:

I certify that all statements made in this grievance 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 to investigate this grievance.

Signatures:

Requesting Student: _____ Date: _____

School official receiving request: _____ Date: _____

If this request was filled out by someone other than the requesting student:

Name (printed):

Relationship (Title) to requesting student: _____

Signature: _____ Date: _____

Notes of action(s) taken:

Additional information from student or employee:



NAYA Early College Academy

DATING and SEXUAL VIOLENCE

Resolution of Grievance

Employee: _____ Position: _____

Date: _____ Time: _____

Requesting Student: _____ Student ID: _____

Please describe resolution:

I authorize school officials to disclose the information I provide only as necessary to implement this resolution.

Requesting Student: _____ Date: _____

Requesting Student's Signature:

I certify that all statements made in this form are true and complete. Any intentional misstatement of fact will subject me to appropriate discipline.

I have attached original grievance form.

School Administrator: _____ Date: _____

School Administrator's Signature: _____

If disciplinary action was taken, the perpetrator must also sign.

Student Perpetrator: _____ Date: _____

Student Perpetrator's Signature:

General Action

Describe action taken:

Necessary follow-up:

I certify that all statements made in this form are true and complete. Any intentional misstatement of fact will subject me to appropriate discipline.

Signature: _____ Date: _____

Please remember to pass this form along to the appropriate Youth Empowerment Coordinator for further action.