

NEW YORK STATE OFFICE FOR THE PREVENTION OF DOMESTIC VIOLENCE

OPDV Bulletin/Winter 2012

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OPDV's website address has changed! As part of a statewide initiative to increase consistency among state agencies, our new address is: www.opdv.ny.gov



For more information on stalking, visit www.opdv.ny.gov/professionals/criminal_justice/stalking.html



For more information on Teen Dating Violence, visit respectlove.opdv.ny.gov

Family Engagement

As part of its Child and Family Services Review, a Federal-State collaborative effort to ensure that quality services are provided to children and families throughout State child welfare systems, the NYS Office of Children and Family Services (OCFS) has identified "family engagement" as a key strategy and has made implementation a priority. This practice initiative is based on the belief that families are the experts in their own family, and best able to identify their own strengths. Caseworkers work with families to identify problems and develop sustainable solutions.

To learn more about family engagement and how OCFS is taking domestic violence into consideration in the implementation of this strategy, see the Q&A on page 3.

Did you know...

The NYS Domestic Incident Report (DIR) repository is now available, giving law enforcement officers outside of New York City access to DIRs statewide. For more information: http://www.criminaljustice.ny.gov/pio/press_releases/2011-12-14_pressrelease.html

*This is not a historical repository. The earliest DIRs that will be available in the repository are DIRs from 2010.

From the Executive Director



Happy New Year everyone. OPDV is looking forward to an exciting set of new projects for 2012 to add to our regular work. It will be another busy year!

I want to start the year with thanks to all of our colleagues, old and new, who participated in October 2011's "Shine the Light on Domestic Violence" campaign – it was our most impactful yet, and a stunning showing of the state connecting around the issue of domestic violence. Over 400 partners joined us in turning the state purple. From Times Square to Niagara Falls, and many cities and towns in between, the color purple blanketed the State of New York. You can expect to see even more "Shine the Light" tools tailored for advocacy organizations created in 2012, in partnership with the NYS Coalition Against Domestic Violence.

This Bulletin has a particular focus on domestic violence and its impact on young people in two different arenas. Our Q&A addresses the issue of Family Engagement, the effort of the child welfare community to ensure that all parents are engaged in the rearing of their children, and how that effort is conducted if domestic violence is present. And the article by Dr. Nan Stein shares her perspective on bullying and its relationships to sexual harassment, dating violence, and other gendered violence among youth. Both make for really interesting reading.

I close by recognizing two important awareness events that are upon us: January is Stalking Awareness Month and February is Teen Dating Violence Awareness and Prevention Month. Please check out the [OPDV website](http://www.opdv.ny.gov) and our teen and youth-focused website, [Respect Love, Love Respect](http://respectlove.opdv.ny.gov), for information that can be used to support your awareness activities.

Amy Barasch
Executive Director

Gendered Violence in Schools

Nan D. Stein, Ed.D., Wellesley Centers for Women, Center for Research on Women, Wellesley College

On October 26, 2010, the Office for Civil Rights (OCR) of the U.S. Department of Education issued a [“Dear Colleague” letter](#) to school districts across the country that provided guidance about critical distinctions between two important issues schools face: bullying and harassment.¹ OCR’s October 2010 letter clarified that peer-to-peer harassment is *not* the same as bullying. As this article discusses, they are two very separate terms and concepts that have unfortunately become fused and conflated in the minds and behaviors of many school officials, the public, and the press.²

Bullying vs. Sexual Harassment

The term “bullying” is imprecise and vague; it is used as a default, as a crutch, and has been stretched to describe everything from meanness to sexual and physical assault. Sexual harassment is a form of sex discrimination and is illegal under federal law Title IX, which was passed by the U.S. Congress in 1972. Unlike discriminatory harassment, anti-bullying laws and policies vary from state to state and do not rise to the level of being violations of federal law. School staff minimize their legal responsibility to targeted students when they call sexual harassment “roughhousing” or “bullying” because such language reduces these behaviors to the level of minor, mutual, and annoying conduct between students. Research has shown that more dire mental health consequences have been noted for the targets of sexual harassment than for the targets of bullying.³ Moreover, the failure of school personnel to address sexual harassment contributes to the creation of an unsafe school environment that perpetuates sex-based discrimination by lending harassment the implicit permission of adults.

Dating Violence and Sexual Harassment in Schools

Dating violence and sexual harassment (including “interpersonal” or “gender” violence) among adolescents represent serious problems for educators in K-12 schools.^{4,5,6,7} They are pervasive in school settings, with half of all teenagers experiencing sexual harassment⁸ and somewhere between 10-20 percent experiencing teen dating violence.^{9,10,11,12,13,14} Although formal dating is limited among younger adolescents, early gendered conflicts are still measurable.¹⁵ Sexual harassment prevalence rates increase throughout middle school, suggesting that schools may be the training grounds for dating violence.¹⁶ Indeed, sexual harassment may be a precursor to teen dating violence.^{17,18} Dating violence and harassment can lead to serious injuries for victims, poorer mental/physical health, more “high-risk”/deviant behavior, and increased school avoidance.^{19,20}

The OCR Dear Colleague letter stated that there is a danger of schools limiting their responses to “a specific application of an anti-bullying disciplinary policy” without considering whether the behaviors in question violate a victimized student’s federal civil rights. Rather, the school’s responsibility is to eliminate the hostile environment created by the harassment, address its effects, and take steps to ensure that harassment does not recur. In other words, the school cannot reduce or minimize egregious conduct by only applying the schools’ or states’ anti-bullying policy if there might be federal civil rights violations occurring. Potential violations of federal civil rights laws take precedence over anti-bullying laws and bullying prevention efforts.

Just as the recent emphasis on violence prevention has challenged advocates to expand their focus to a more broad-based response to sexual and domestic violence, advocates have an opportunity to expand their work in schools to more effectively identify and address sexual harassment and related civil rights violations. The October 2010 Dear Colleague letter presents domestic and sexual violence advocates a rare opportunity to collaborate with school personnel to reinvigorate and strengthen anti-harassment efforts.

Working With Schools

There are many strategies for coalitions and community-based organizations to use while working to end violence in schools and communities. These strategies include:

- Get buy-in from school administration and educators. Frame the topics of sexual harassment, dating violence, and sexual assault as violence prevention and as an integral part of creating a safe school.
- Use an evidence- and practice-informed approach.
- Engage students in assessing school climate and making their school a safer place.

(See the author’s article [Addressing the Gendered Dimensions of Harassment and Bullying: What domestic and sexual violence advocates need to know](#) for a complete list and description of strategies.)

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3 Gruber, J. E., & Fineran, S. (2007). The impact of bullying and sexual harassment on middle school and high school girls. *Violence Against Women*, 13, 627-643.

4 Taylor, B., Stein, N., Burden, F. (2010) Exploring Gender Differences in Dating Violence/ Harassment Prevention Programming in Middle Schools: Results From a Randomized Experiment. *Journal of Experimental Criminology* 6: 419-445

5 Taylor, B., Stein, N., Burden, F. (2010) The Effect of Gender Violence/ Harassment Prevention Programming in Middle Schools: A Randomized Experimental Evaluation. *Violence and Victims* 25(2): 202-223

6 Mulford, C., and P.C. Giordano. 2008. Teen Dating Violence: A Closer Look at Adolescent Romantic Relationships. Vol. Issue No. 261. Washington, DC: National Institute of Justice.

7 Jouriles, E.N., C. Platt, and R. McDonald. 2009. Violence in Adolescent Dating Relationships. *The Prevention Researcher* 16:3-7.

8 Hill, C. & Kearl, K. 2011. Crossing the Line: Sexual Harassment at School. Washington DC: American Association of University Women.

9 Youth Risk Behavior Surveillance Statistics on “Hit, Slapped, or Physically Hurt On Purpose by Their Boyfriend or Girlfriend” (2009) Centers for Disease Control and Prevention. Retrieved at: <http://www.cdc.gov/healthyyouth/yrbs/overall.htm>

10 Silverman, J.G. & Decker, M. (2006). Literature Review to Identify Measures of Risk and Protective Factors for Bullying Experiences and Sexual Violence Perpetration. Prepared for Division of Violence Prevention, National Center for Injury Prevention and Control, Centers for Disease Control and Prevention. Harvard School of Public Health, Harvard University.

11 Silverman J.G., Raj, A., & Clements, K. (2004). Dating Violence and Associated Sexual Risk and Pregnancy Among Adolescent Girls in the United States. *Pediatrics*, 114(2), 220-225.

12 Foshee, V. A. 1996. Gender differences in adolescent dating abuse prevalence, types and injuries. *Health Education Research* (3):275-286.

13 Hickman, L.J., L.H. Jaycox, and J. Aronoff. 2004. Dating Violence Among Adolescents: Prevalence, Gender Distribution, and Prevention Program Effectiveness. *Trauma, Violence, and Abuse* 5:123-142.

14 Jouriles, E.N., C. Platt, and R. McDonald. 2009. Violence in Adolescent Dating Relationships. *The Prevention Researcher* 16:3-7.

15 Noonan, R.K., and D. Charles. 2009. Developing Teen Dating Violence Prevention Strategies: Formative Research with Middle School Youth. *Violence against Women* 15 (9):1087-1105.

16 Stein, N. 1995. Sexual Harassment in K-12 Schools: The Public Performance of Gendered Violence. *The Harvard Educational Review* 65 (2):145-162.

17 Taylor, B., Stein, N., Woods, D., Mumford, E. 2011. Shifting Boundaries: Final Report on an Experimental Evaluation of a Youth Dating Violence Prevention Program in New York City Middle Schools. U.S. Department of Justice. Retrieved at: <https://www.ncjrs.gov/pdffiles1/nij/grants/236175.pdf>

18 Carlson, C. 2002. Invisible Victims: Holding the Educational system Liable for Teen Dating Violence at School. *Harvard Women’s Law Journal*, 26: 372-376.

19 Gruber, J. E., and S. Fineran. 2008. Comparing the impact of bullying and sexual harassment victimization on the mental and physical health of adolescents. *Sex Roles* 59 (1-2):1-13.

20 Howard, D., Wang, M.Q., and Yan, F. (2007) Psychosocial Factors Associated With Reports of Physical Dating Violence Among U.S. Adolescent Females. *Adolescence* 42(166):311-24.

Q&A About Family Engagement

This Q&A was conducted with Renee Hallock, Director, Prevention, Permanency and Program Support, NYS Office of Children and Family Services (OCFS).

Q: What is Family Engagement?

A: All families are complex, and families involved in the child welfare system are experiencing issues that provide them with even more challenges. We believe that engaging families from the beginning of their involvement with the child welfare system is key to achieving positive outcomes. Family engagement is rooted in the belief that solutions to family issues are most likely to be found within the family.

There are three elements to family engagement:

1. Assess and understand the problem – Caseworkers understand that families are the experts in their own families.

2. Develop a plan to address the problem – This is commonly referred to as a safety and/or service plan. With family engagement, families are asked to develop their own plan, called a family-driven plan. Having a plan that comes directly from the family makes sustainable change more likely.

3. Look for solutions – We ask the family to look within to identify strategies that can be useful in implementing sustainable solutions. The Agency then provides the family with whatever services it needs and asks for.

Q: Why is it important to implement family engagement practices?

A: Family engagement is at the core of helping a family address their children's need for safety, permanency and well-being. In addition to the casework relationship itself and the impact of that relationship on influencing change, we have identified several key aspects of casework where family engagement is particularly

vital. These include:

- Enhancing Family Decision Making Meetings
- Enhancing Locating and Engaging Fathers and Relatives
- Enhancing Coached Family Visits
- Enhancing Concurrent Planning
- Family Assessment Response

Training on the family engagement strategies is provided to child welfare caseworkers who are working with families in the area of child protective, preventive, foster care and adoption services. The training is known as "toolkit" training. The toolkit training, which also includes a skill coaching session, provides the caseworker with the knowledge and tools to work with families.

Q: How is domestic violence addressed in the family engagement trainings?

A: OCFS has been working with a consultant who provides training and technical assistance on the co-occurrence of child maltreatment and domestic violence, including:

- Developing a basic overview of domestic violence including, how domestic violence is different from other forms of violence that occur within intimate relationships, the impact of domestic violence on children, and the components of a domestic violence safety plan. The overview serves as a prerequisite for participating in any of the family engagement toolkits and may be used in other training programs as well.
- Developing draft guidelines for conducting family meetings and coaching family visits in families affected by domestic violence. Developing a draft script of a demonstration of a supervisor coaching a preventive services worker on how to conduct a domestic violence assessment with a family. The demonstration will

be incorporated within the family meeting toolkit.

Q: How is domestic violence addressed in the implementation of family engagement?

A: One area of concern with family engagement is working with families that are experiencing domestic violence. Working with both parents is our goal. However, we must do that in a safe manner for all parties. We are not looking to restore relationships between the parents, but rather to maintain and encourage relationships between the child and the parents, when it is safe to do so. We are encouraging families, not mandating them, to participate in a family meeting or a coached visitation session, with the goal of empowering them to resolve the issues that brought them to the child welfare system. When domestic violence is identified, depending on the circumstances, local districts may decide to refrain from proceeding with a family meeting or a coached family visit. Please contact your local district to find out more.

Q: What resources are available?

A: On the OCFS website, under Child and Family Services Review, we have videos describing each of the Family Engagement Toolkits that domestic violence providers can easily access. http://www.ocfs.state.ny.us/main/cfsr/family_engagement.shtm

Additionally, we are cognizant that there are service providers who could benefit from hearing more about the work OCFS and local districts are doing around family engagement. I would encourage all service providers to reach out to their local department of social services and request to be included in the training that is being provided to the districts.

Legislative Update

Expanded Access Implementation Report

In 2008, New York State's laws were amended to allow a broader range of victims to seek orders of protections in Family Court, specifically extending access to "intimate partners." The law also required OPDV to prepare a report on the impact that this change would have on police practices, however, OPDV chose to look at impact across several systems serving domestic violence victims. The report summarized data from the Division of Criminal Justice Services and the Office of Court Administration, and the results of informal surveys of police chiefs, sheriffs,

domestic violence service providers and LGBT service providers, in addition to feedback from several state agencies and the New York City Police Department.

The most clearly measured impact was a significant increase in the number of petitions for orders of protection in Family Courts. While data indicated an increase in domestic incident reports and increased use of criminal courts, it was not clear what could be attributed to the new law. Both law enforcement and the court system invested significant resources to revise forms and data reporting and to disseminate new guidelines or provide training for personnel to properly implement the law. Local service providers also had to train staff

and increase efforts to collaborate with other systems in their communities.

The report reflects some of the challenges involved in putting into place the changes needed to implement the law. It also cites the need for increased attention to the issues of working with teen and LGBTQ victims. While some aspects are still being refined, such as the definition of "intimate partner" as interpreted by the courts, the law has clearly made a difference for the many victims who were previously denied access to civil orders of protection.

Respect Love, Love Respect

In October, OPDV unveiled a new dating abuse initiative geared toward teens and young adults. Respect Love, Love Respect offers a content-rich [website](#) and [Facebook page](#) that provide a wealth of information about dating abuse and healthy relationships. The website has interactive features, such as a healthy relationships quiz and a section called "In Your Own Words", where teens and young people age 16 – 24 are invited to write about their experiences and have it posted on the website.

In February 2011, OPDV held a slogan contest asking young New Yorkers to send us their ideas to help brand this initiative. Respect Love, Love Respect was submitted by 20 year old Cady Fontana of Ithaca and was chosen by focus groups of young people around the state. Webpage layout ideas were also focus tested, which helped develop the logo and the look of the website. The result is a website designed to speak to teens and young people and be approachable, interesting, and useful for them.

Please visit the website and "Like" us on

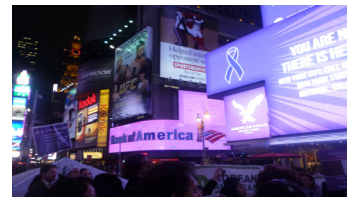
Facebook. And please utilize these resources as you plan for February, Teen Dating Violence Awareness & Prevention Month. We also welcome your feedback on the new website. There's a link to a short survey on the homepage. Tell us what you think!



"Shine the Light on Domestic Violence" 2011

This year's campaign to turn New York State purple was a shining success! With reported participation from more than 400 individuals and organizations, the message was spread further than ever before. In this, the 4th year of the campaign, advocates, government agencies, legislators, private businesses, sports arenas... even a pageant queen... stepped forward to turn something purple. You can see a list of all participants, sortable by name or county, on our website. Photos can be seen on Facebook. If your agency participated but isn't listed, let us know.

OPDV worked hard in 2011 to prepare for



October. We produced a webinar featuring four strong domestic violence advocates who shared their tips with more than a hundred viewers on how to go purple. Ideas ranged from making little purple flags on barbecue skewers to engaging local businesses, hosting a scavenger hunt, and

lighting prominent buildings purple – all for little or no cost.

We also developed new tools, including a mini-poster for download and a fill-in-the-blanks press release. We are looking forward to working with the NYS Coalition Against Domestic Violence this year to produce even more new resources. If you have any ideas, send them to opdvpurple@opdv.ny.gov.

"Shine the Light" recognizes that a coordinated voice is a strong voice, magnifying individual efforts with the power of collaboration. To those who have been turning New York State purple for the past four years, thank you. And to the newcomers, welcome and thank you! Let's work together to bring this campaign to new heights in 2012!

NYS Office for the Prevention of Domestic Violence www.opdv.ny.gov

Please send any comments or content ideas to: opdvbulletin@opdv.ny.gov

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