

LAW OFFICE *of*
KRISTIE MCCANN

INC.

YOUR PARTNERS IN COMPLIANCE & PREVENTION

DATING VIOLENCE PREVENTION: UNDERSTANDING FEDERAL OBLIGATIONS & PROMOTING SAFETY

DISCLAIMERS

The information shared in this training, whether in group discussions or private conversations, is for educational purposes only and does not constitute legal advice or a guarantee of compliance.

While our organization is available for hire to provide legal counsel or advice, our trainings do not offer or constitute legal advice.

For guidance specific to your organization, consult legal counsel to ensure alignment with relevant case law, state and local regulations, and evolving federal standards.



MEET OUR TEAM



Kristie McCann, Esq.
Owner, Attorney



Alyssa Roush
Civil Rights Specialist

Learning Objectives

Afterwards, you'll be able to:

- Define dating violence in the context of Title IX, Lindsay Ann Burke Act, Clery Act, and VAWA
- Identify signs and dynamics of unhealthy and abusive relationships among college students
- Understand institutional responsibilities for responding to and reporting dating violence
- Apply trauma-informed principles when responding to disclosures
- Promote a campus culture that supports prevention, safety, and care



Foundations of Healthy & Unhealthy Relationships

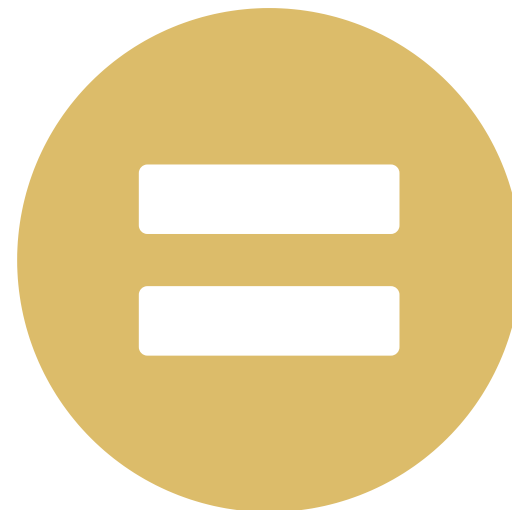
Healthy Relationships



Respect



Trust



Equality



Communication



Support



Consent

Unhealthy Relationships & Warning Signs



Excessive jealousy or possessiveness



Isolating from friends or family



Constant monitoring



Quick escalation of relationship or intimacy



Belittling or mocking



Codependence



Threats or violence



Breaking boundaries



Understanding Dating Violence

CONTENT & TRIGGER WARNING

What is Dating Violence?

per 34 U.S.C. § 12291 (VAWA), and therefore Title IX

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

- The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- For the purposes of this definition—
 - Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - Dating violence does not include acts covered under the definition of domestic violence.

Dating violence also includes the following types of abuse, as amended by the VAWA Reauthorization Act of 2022.

Abuse in Later Life

Neglect, abandonment, economic abuse, or willful harm of an adult aged 50 or older by an individual in an ongoing relationship of trust with the victim; or domestic violence, dating violence, sexual assault, or stalking of an adult aged 50 or older by any individual; and does not include self-neglect.

Economic Abuse

In the context of domestic violence, dating violence, and abuse in later life, behavior that is coercive, deceptive, or unreasonably controls or restrains a person's ability to acquire, use, or maintain economic resources to which they are entitled.

Technological Abuse

an act or pattern of behavior that occurs within domestic violence, dating violence, sexual assault, or stalking and is intended to harm, threaten, intimidate, control, stalk, harass, impersonate, exploit, extort, or monitor, except as otherwise permitted by law, another person, that occurs using any form of technology

Forced Marriage

a marriage to which one or both Parties do not or cannot consent, and in which one or more elements of force, fraud, or coercion is present. Forced marriage can be both a cause and a consequence of domestic violence, dating violence, sexual assault, or stalking.

Differences in Definitions

34 U.S.C. § 12291 (VAWA) – Title IX Prohibited Conduct

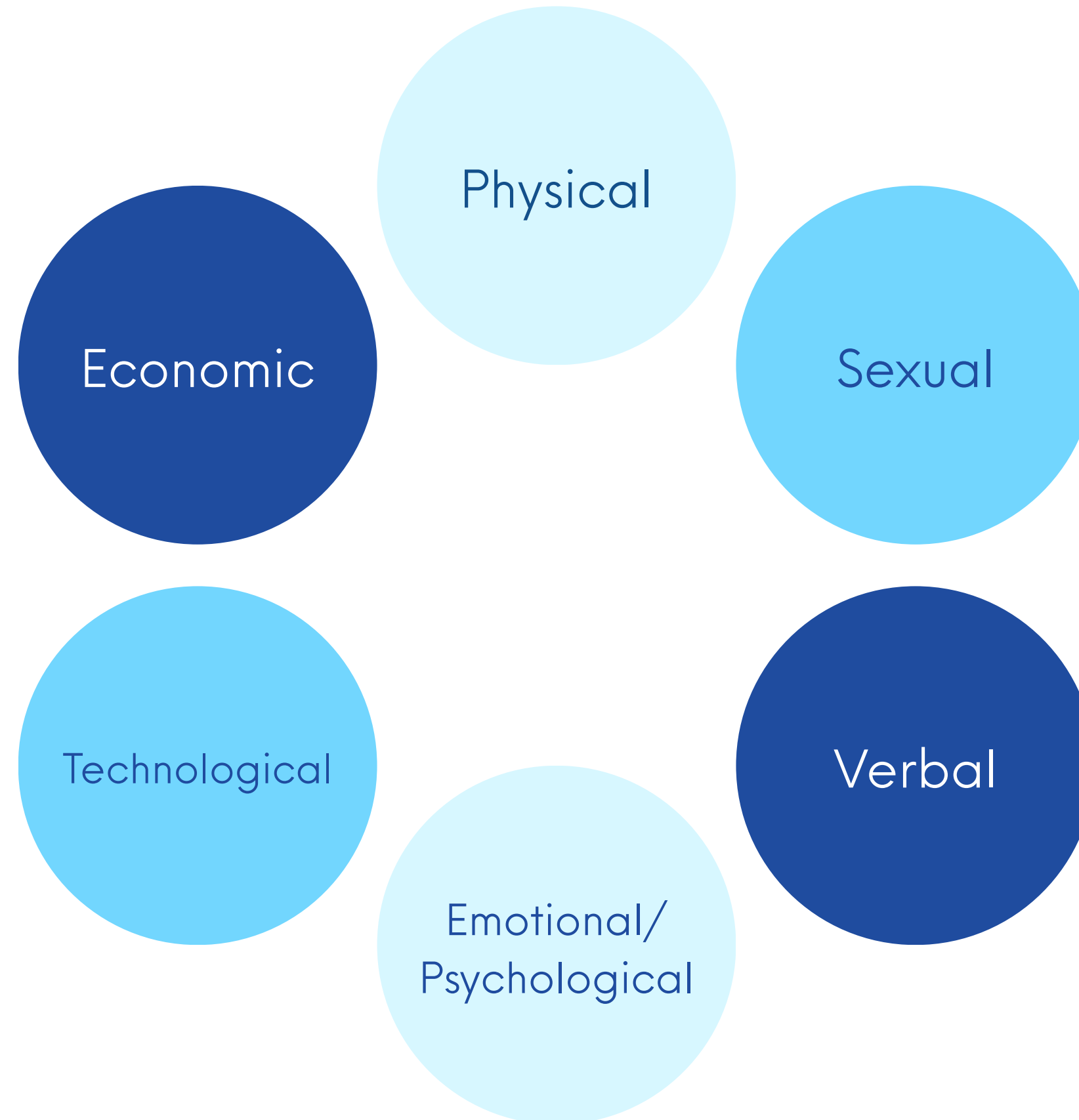
Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

↖ Title IX only covers dating violence that occurs in the context of an educational program or activity in the U.S.

Lindsay Ann Burke Act (RI K-12) – includes broader, non-TIX Prohibited Conduct

A pattern of abusive or coercive behaviors used to exert power and control over a current or former dating partner. Behaviors may occur online, in person, or through the use of technology. Abuse may be **physical, verbal, emotional, sexual, financial, or psychological** and includes threats, isolation, and intimidation.

Types of Violence & Abuse



Physical Abuse

- **Direct or threatening physical harm**: Hitting, kicking, slapping, choking, pulling hair, or burning
- **Use of force or intimidation**: Throwing objects, punching walls, grabbing clothing, blocking exits
- **Use of weapons**: Guns, knives, bats, or other objects used to threaten or harm
- **Property damage as intimidation**: Destroying items or breaking things in anger
- **Coercive tactics**: Forcing substance use or physically controlling where the partner goes

Physical abuse can escalate quickly and often accompanies other forms of control or intimidation

Sexual Abuse

- **Unwanted** touching, kissing, or sexual activity
- Engaging in sex when a partner is **incapacitated**, **unconscious**, or **unable** to consent
- **Pressuring** for sex
- **Sabotaging** birth control or removing condoms without consent
- **Forcing** sex with others, **non-consensual sharing** of intimate content, **trafficking**, or other types of **sexual exploitation**
- **Sexual harassment**
- **Stalking**

Consent must be clear, voluntary, specific, and ongoing

Verbal Abuse

- **Hurtful language**: Name-calling, criticism, shaming, yelling, or threats
- **Emotional invalidation**: Dismissing feelings, giving the silent treatment, refusing to engage
- **Manipulation**: Gaslighting, preying on insecurities, habitual arguing
- **Control through fear**: Speaking aggressively, creating emotional instability, or threatening consequences

Often overlaps with emotional abuse & other types of abuse

Emotional Abuse

- **Verbal attacks**: Name-calling, belittling, shaming, or blaming
- **Manipulation and control**: Gaslighting, guilt-tripping, controlling clothing, activities, or relationships
- **Isolation**: Cutting off friends, family, or support systems
- **Threats and intimidation**: Threatening harm to partner, pets, or self; using fear to maintain control
- **Jealousy and possessiveness**: Constant accusations or jealousy over outside relationships
- **Online control and humiliation**: Using digital platforms to monitor, shame, or expose personal information
- **Property damage**: Destroying or damaging belongings to instill fear or dominance

Technological Abuse

- **Monitoring or invading privacy**: Hacking accounts, checking phones, or using tracking technology
- **Controlling social media**: Dictating online interactions, demanding passwords, or stalking activity
- **Harassment or threats**: Sending constant, threatening, or demeaning messages online or via text
- **Public shaming**: Posting humiliating or explicit content without consent
- **Pressuring for explicit content**: Demanding or coercing sexts or compromising media
- **Cyberstalking**: Using digital tools to track, intimidate, or isolate a partner

Economic Abuse

- **Controlling access to money**: Withholding funds, giving an allowance, or hiding financial accounts
- **Sabotaging employment**: Causing job loss, restricting work hours, or preventing partner from going to work
- **Misusing financial resources**: Taking or spending partner's income, financial aid, or credit without consent
- **Harassing at work**: Contacting employer/co-workers to create conflict or get partner fired
- **Exploiting financial systems**: Using SSNs or joint accounts without permission
- **Using money as leverage**: Expecting something in return for gifts, or limiting spending to assert control

How It May Show Up on Campus

In Person

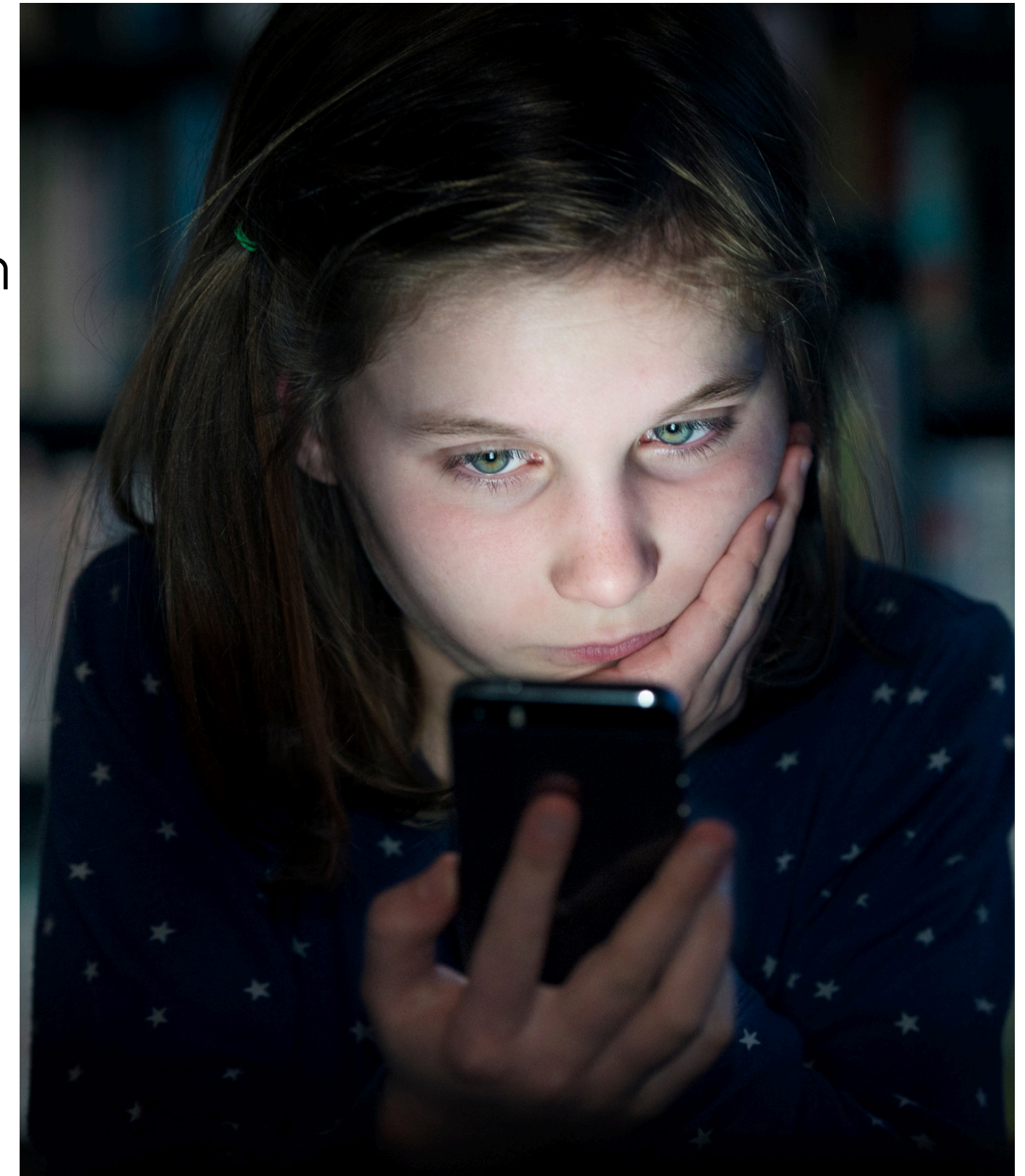
- Showing up uninvited to classes, residence halls, or workplaces to monitor or confront
- Public outbursts of anger or jealousy, including verbal threats or intimidation
- Blocking exits or physically preventing someone from leaving a room or situation
- Isolating partner by discouraging or sabotaging friendships and social connections
- Criticizing appearance, speech, or behavior to control or humiliate
- Emotional manipulation (“If you loved me, you’d...”)
- Crossing boundaries related to physical touch or sexual activity without clear consent
- Throwing objects or slamming doors to intimidate during arguments
- Withholding affection or giving the silent treatment as punishment
- Using demeaning language or name-calling to erode confidence or assert power



How It May Show Up on Campus

Online

- Sending constant or aggressive messages via text, Instagram, Snapchat, etc.
- Spamming or “blowing up” someone's phone with emails, texts or DMs
- Posting humiliating or threatening content on social media
- Tagging or creating posts meant to shame or intimidate
- Pressuring someone to share explicit images or sexting
- Threatening to share private content or screenshots
- Cyberstalking — monitoring posts, friends, likes, or check-ins obsessively
- Using anonymous apps to harass or manipulate



How It May Show Up at School

Through the Use of Technology_(not just online)

- Using GPS tracking apps (Life360, Find My iPhone) to monitor location
- Hiding an AirTag or tracker in the person's belongings
- Requiring "proof" of location via photos or video calls
- Demanding access to or control of passwords
- Reading someone's texts or call logs without consent
- Demanding partner "unfriend," unfollow, or block certain people
- Dictating what they can post or wear in photos
- Recording or sharing private conversations or videos without consent





School Policies & Legal Context

Your Policy Must Cover TIX & Should Cover Non-TIX

- Title IX only covers dating violence that meets federal criteria:
 - Dating violence in a program or activity, and involving a person participating or attempting to participate in that program, in the United States.
- “Not Title IX” DOES NOT mean “can’t respond.”
 - Conduct investigation under student code of conduct, nondiscrimination, or sexual misconduct policy.
 - “While this situation isn’t classified under our Title IX policy, we still have resources and options we can offer.”
 - Implement safety plans & supportive measures.
 - Monitor student/employee well-being over time.
- For RI K-12, your policy must cover both Title IX and non-Title IX dating violence in accordance with the Lindsay Ann Burke Act.

Your Main Concern Should Always Be:

Stop the Behavior
Prevent its Recurrence
Remedy the Effects

Lindsay Ann Burke Act (RI)

K-12 Key Requirements:

Curriculum Integration

- Mandatory education on dating violence must be included in the health education curriculum.
- Applies to grades 7 - 12 in all Rhode Island public schools.
- Instruction must include:
 - The definition and types of dating violence (emotional, physical, sexual, etc.)
 - Warning signs of abusive behavior
 - Characteristics of healthy relationships
 - Legal rights and resources for victims
- Schools are required to inform parents about the curriculum content.
- Parents must be given the option to review the materials and opt their child out of instruction, if desired.



Lindsay Ann Burke Act (RI)

K-12 Key Requirements:

Staff Training

- All school personnel must be trained to recognize signs of dating violence and understand appropriate responses.
- Training should cover:
 - How to identify potential abuse
 - Mandated reporting obligations
 - How to support affected students safely and legally



Lindsay Ann Burke Act (RI)

K-12 Key Requirements:

School Policies

- Schools must adopt a policy for responding to incidents of dating violence involving students:
 - Clear procedures for reporting and investigating allegations
 - Disciplinary actions for perpetrators
 - Support services and accommodations for victims
- Dating violence must be included in your Title IX policy.
- Non-Title IX dating violence must also be included in other codes of conduct (employee code of conduct, student code of conduct, bullying policy, teen dating violence policy, etc.).



Chapter 256 of the Acts of 2010 (2010 SB 2583) (MA)

- Mandates each public school district (subject to state appropriation) to implement a specific policy and disciplinary code addressing teen dating violence.
- Policy must explicitly state that dating violence will not be tolerated and include:
 - Guidelines for addressing alleged incidents
 - A possible student-dating-violence prevention task force (staff, students, parents) to recommend awareness, training, education
- Mandatory coverage of topics including (but not limited to):
 - Defining teen dating violence
 - Recognizing warning signs
 - Confidentiality, safety considerations
 - Appropriate legal and school-based interventions



Chapter 92 of the Acts of 2010 (2010 SB 2404) (MA)

- All public and charter schools must adopt a Bullying Prevention and Intervention Plan, covering:
 - Definitions of bullying, cyberbullying, retaliation
 - Clear reporting, investigation, and disciplinary procedures
 - Safety/support strategies for victims
 - Protection for students reporting incidents
- Curriculum:
 - Requires age-appropriate instruction on:
 - Bullying prevention
 - Teen dating violence awareness and healthy relationships
 - Conflict resolution and Internet safety
- Mandatory annual training:
 - For teachers, staff, administrators, coaches, volunteers
 - Covers signs of bullying and dating violence, intervention techniques
- Schools must inform families of policies annually
- Public comment required when drafting or revising plans
- Policies posted online and included in student handbooks
- Plans updated every 2 years
- Developed collaboratively with parents, staff, law enforcement, and community



Connecticut General Statutes §10-220a

- Annual professional development for teachers, administrators, pupil personnel staff, and other certified employees must include training on:
 - Teen dating violence and domestic violence
 - Youth suicide prevention
 - Risk assessment and early intervention
 - Conflict resolution and safe school climate
- Content Focus:
 - Recognizing signs of abuse and unhealthy relationships
 - Responding to disclosures of dating violence
 - Promoting healthy interpersonal skills and boundaries
 - Referral protocols and collaborating with support services
- Mandate Scope:
 - Required by all local and regional boards of education
 - Must align with state-approved guidelines and educational standards





Responding to Reports of Dating Violence

Responding to Reports of Dating Violence

Intake & Initial Assessment

- Conduct a threat assessment if there's potential for continued harm.
- Does it rise to the level of Title IX?
 - Offer or implement emergency removal (under Title IX) if appropriate.
 - Explain the process for filing a formal complaint & resolution options.
 - Explain rights and options for reporting to law enforcement (voluntarily).
- If not Title IX, is there another policy/procedure you can use?
- Always offer supportive measures.
- Document everything.

Responding to Reports of Dating Violence

Trauma-informed Practices

- Build relationships
- Ensure interactions avoid re-traumatization (e.g., unnecessary repetition of the story)
- Avoid blaming language or pressure to take specific actions
- Use calm, non-threatening tones and body language
- Reduce sensory overstimulation
- Make comfort items available: fidget toys, tissues, bottled water
- Allow breaks if overwhelmed
- Give choices (e.g., "Would you like to..?")
- Avoid "why" questions
- Thank them for sharing

Challenges in K-12 Settings

- Students may not recognize or know how to describe abuse
- Limited experience makes it hard to identify unhealthy relationships
- Emotional attachment may prevent reporting or leaving
- Mandated reporting limits confidentiality
- Fear of parental involvement or peer backlash
- Fear of getting in trouble if they engaged in conduct that will be discovered when they report (e.g. drinking, sexting, sex, etc.)
- Staff often lack training on dating violence
- Reports may be dismissed as “drama” or typical teen behavior



Challenges in Higher Ed Settings

- Students may struggle to identify abuse, especially in emotionally complex or new relationships
- Desire for independence or fear of judgment may discourage reporting
- Abuse may be minimized or normalized due to campus culture (e.g., hookup culture, toxic dynamics)
- Confusion about confidentiality vs. mandatory reporting can create mistrust in the system
- Fear of reputational damage, social backlash, or academic consequences may prevent disclosure
- Faculty and staff may lack training in recognizing or appropriately responding to dating violence
- Some incidents may be dismissed as relationship drama or personal issues, leading to underreporting



CAMPUS SAFETY CENTER

Risk Assessment & Safety

Risk Assessment is Critical

- Ensures proactive response to threats to individual or community safety
- Informs decisions around:
 - Emergency removal (34 CFR §106.44(c))
 - No-contact orders and interim measures
 - Housing or classroom separation
- Balances due process with prevention of harm



What is a Violence Risk Assessment (VRA)?

- A structured, evidence-informed process used to:
 - Evaluate the likelihood that an individual may engage in targeted or repeated violence; and
 - Guide interventions, emergency removals, and safety plans.
- Focuses on understanding risk factors, warning signs, and situational context to manage and reduce potential harm.
- Should be completed by a trained, qualified professional, typically:
 - A forensic psychologist, clinical psychologist, or counselor trained in threat assessment & tools (e.g. HCR-20, SARA-V3, WAVR-21, SIVRA-35);
 - A campus threat assessment team member with VRA training (often from law enforcement, counseling, or student conduct); or
 - In some cases, an external consultant or multidisciplinary Behavioral Intervention Team (BIT).
- A VRA is **not** a finding of responsibility or criminal investigation.
- Always document: the reason for referral, the outcome, and any actions taken.

Do I need to make a referral for a VRA?



Refer for a VRA to be conducted **immediately** when there is:

- Physical violence resulting in injury (e.g., strangulation, punching, kicking,)
- Threats to kill or seriously harm the Complainant or others
- Use of a lethal weapon or threat involving a weapon
- Violations of no-contact orders tied to this case

Do I need to make a referral for a VRA?



- If no automatic trigger is met, use a point-based screening (NABITA) to gauge
- Some behaviors that can add up to needing a referral:
 - Pattern of behavior
 - Elements of incapacitation in the reported behavior
 - Recent and/or ongoing behavior
 - Unmanaged mental health or substance issues
 - Detailed knowledge of the complainant's routine, home, or online presence
 - Access to weapons
 - Persistent boundary violations
 - Obsessive focus or rumination
 - Intimidation and/or harassment
 - Social manipulation
 - Gaslighting or psychological control

Safety Planning & Supportive Measures

- Safety plans should change, evolve, and adapt as the situation does.
- As much as possible, don't just plan for what's already happened but also what could happen next.
- Try to plan for reactions to changes as well.
- Work with the Complainant to balance living life normally with safety planning.
- Safety planning to talk through:
 - Safe routes, buddy systems, Public Safety escorts;
 - Varying daily routine;
 - Tech safety (e.g., social media privacy, GPS);
 - Residence hall protections;
 - Academic adjustments (schedule, seat, modality);
 - Emergency contacts and alert systems; and
 - Seeking protective orders or police involvement.





Building a Supportive School Culture

Opportunities to Address the Challenges

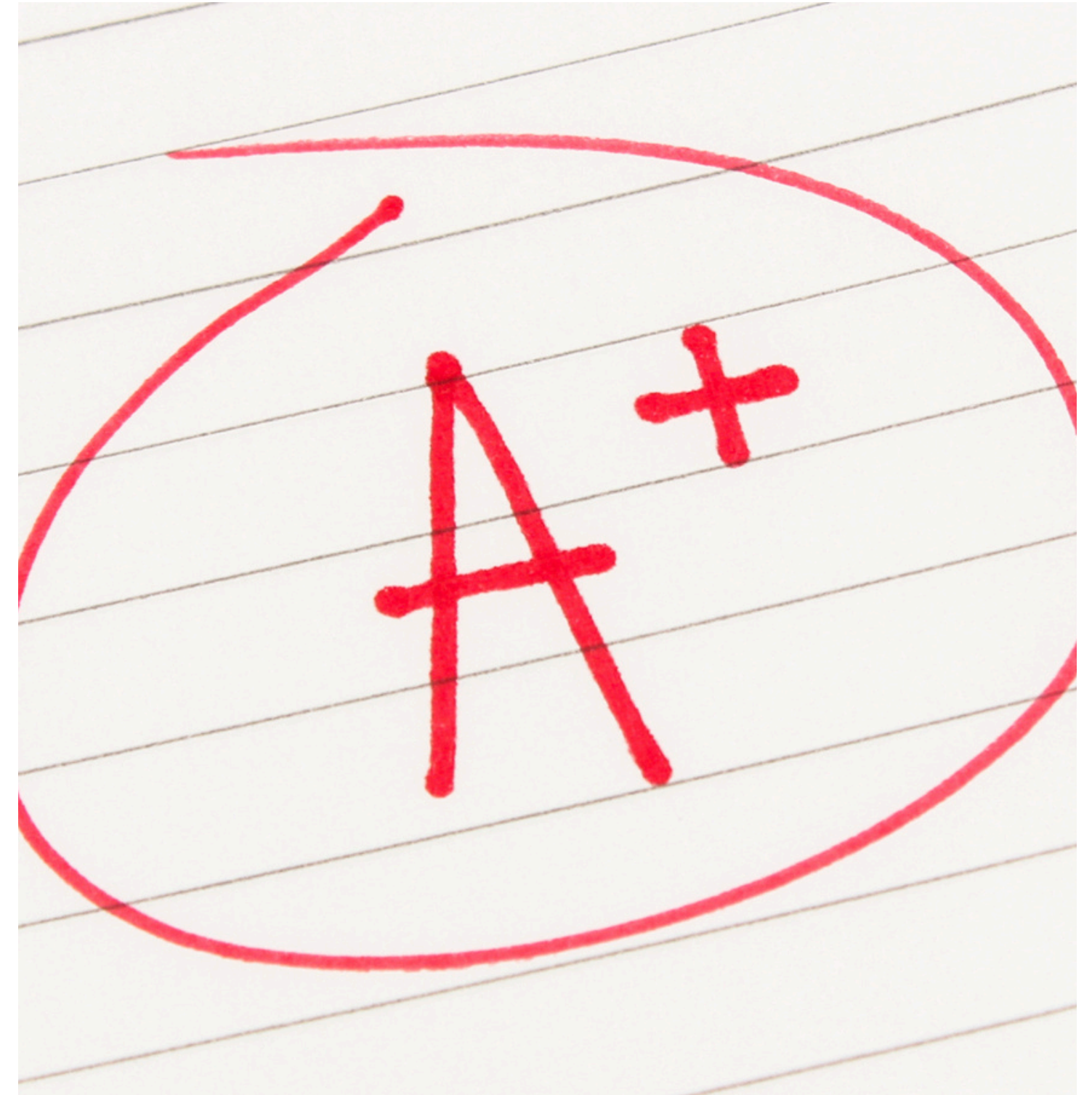
- Integrate education on healthy relationships & consent across campus.
- Provide trauma-informed training for faculty, staff & student leaders.
- Clarify reporting procedures as well as private and confidential support.
- Ensure accessible services & accommodations.
- Challenge harmful norms through prevention campaigns & peer engagement.
- Regularly review policies and use data to guide improvements.



Creating a Safe School Environment

In addition to the requirements...

- Raise awareness through events, posters, and assemblies.
- Normalize conversations about dating violence.
- Review and strengthen school safety policies.
- Ensure students and employees know their rights and reporting options.
- Partner with local organizations for support and resources.
- National Domestic Violence Awareness & Prevention Month is October.
- Educate year-round too!



Key Takeaways



- Teach healthy vs. unhealthy relationships early and often
- Know & revisit ALL legal obligations
- Regularly review & update your policies and procedures
- Train and educate your students, employees & key stakeholders
- Foster a culture where disclosure feels safe and supported
- Build local partnerships for prevention and support
- Use data to drive change



THANK YOU



alyssa@kristiemccannlaw.com



kristie@kristiemccannlaw.com



www.kristiemccannlaw.com

LAW OFFICE *of*
KRISTIE MCCANN
INC.