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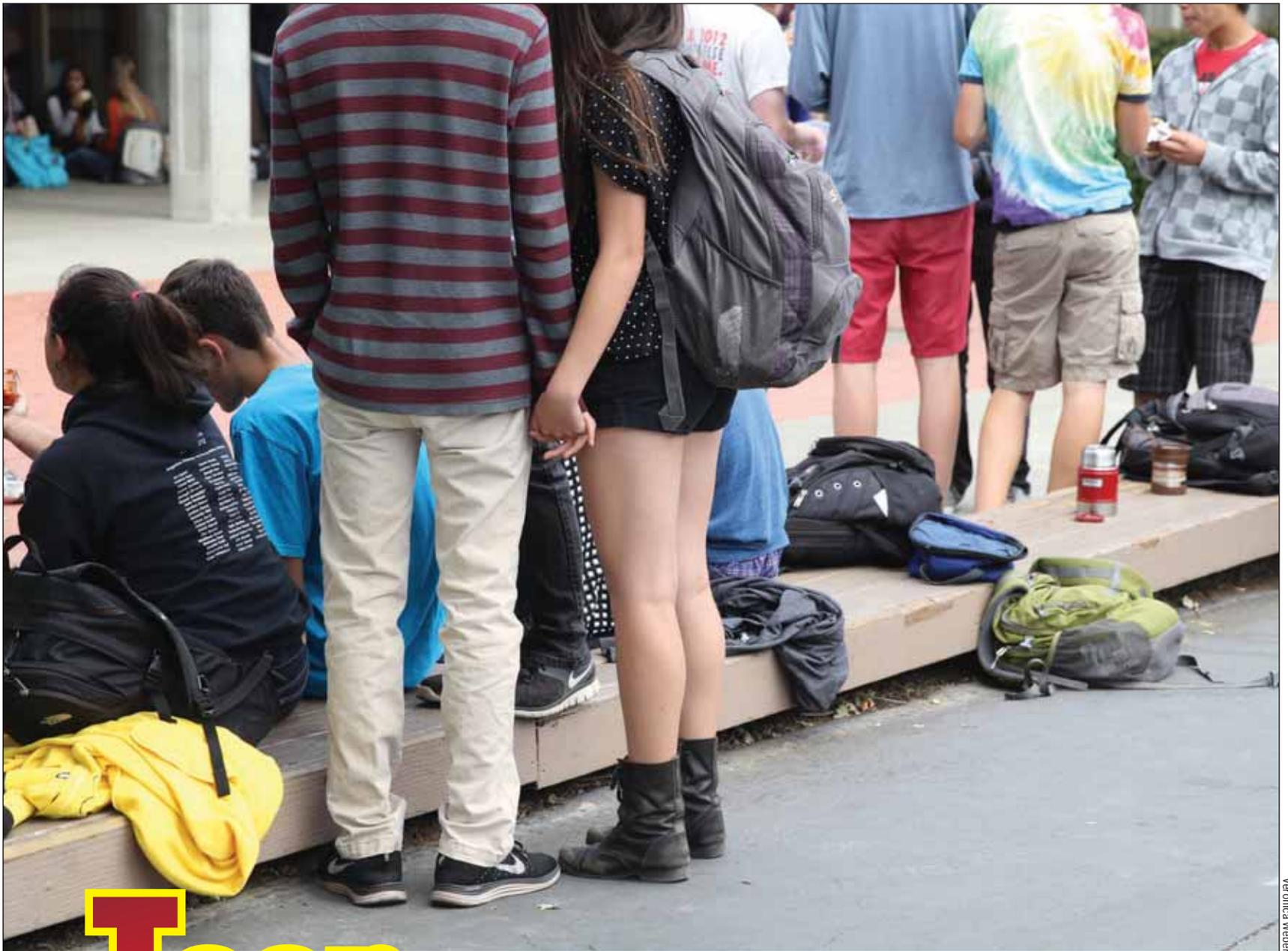
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Teen dating hell

Are our schools ready when relationships turn violent?

by Terri Lobdell

Laura had her hands full last fall. She had broken up with her boyfriend, Mark, the week before. Since then, he had been stalking her at school, where he was a student too. He cut class to follow her to and from her classes, where he stared at her through the windows. He called her derogatory names like “bitch” and “whore,” pressured her to come back to him and barraged her with text messages. He also followed and harassed her on the way to and from school, Laura later told the police.

Laura told Mark to leave her alone, to get away from her, that it was over; still he persisted. On the

way to school one morning, a neighbor overheard Laura yelling at him and called the school, concerned for Laura’s safety. A school administrator asked Laura about the incident. Laura assured the staff member that everything was under control. Laura thought she could handle it on her own.

Later that week, after stalking her all day at school, Mark again pursued Laura on the way home from school, and she finally decided to phone for help. That’s when Mark attacked her. Witnesses in the neighborhood saw what was happening and stepped in immediately to stop him and call

the police. Still, Mark managed to pull Laura’s hair and head towards the ground and strike the back of her head with his hand, according to police records. The police arrived and arrested him.

At the time of the attack, Sept. 20, Laura and Mark (not their real names) were Gunn High School students. What happened between them is a very common pattern of behavior and a classic example of teen dating violence, according to Emily Austin, a staff lawyer with Peace Over Violence, a Los Angeles-based nonprofit organization dedicated to the prevention of teen dating violence.

Editor’s note

The Weekly is publishing this article on dating violence to examine how and whether Palo Alto schools are equipped to handle situations of harassment and assault between students. It was undertaken with the consent and cooperation of the family of a Gunn High School student who last fall was harassed and attacked by her ex-boyfriend and who later filed a complaint with the federal Office for Civil Rights alleging the school violated Title IX in its handling of the matter.

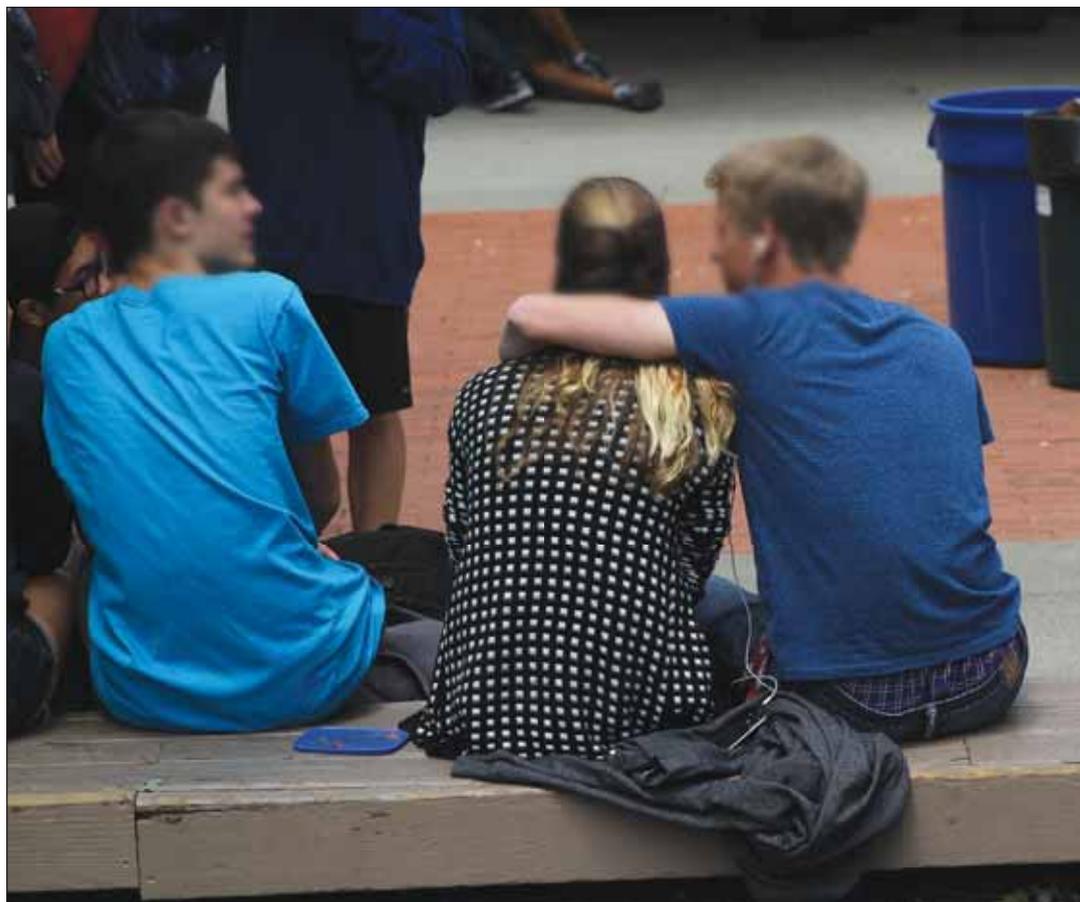
Superintendent Kevin Skelly declined numerous requests to participate in interviews for this article or provide answers to questions. Through spokesperson Tabitha Kappeler-Hurley he indicated no other district or Gunn officials would comment.

Skelly and Kappeler-Hurley said they would be unable to discuss the topic of dating violence, how schools are trained to handle these situations, what resources schools have available to them or other topics related to the implementation of policy without at the same time revealing specific confidential student information.

“This is based on the need to be confidential about student information,” Kappeler-Hurley said.

Skelly commented: “I am uncomfortable adding more scrutiny of the students involved in the situation.”

Skelly instead provided general written information about school policies and prevention efforts related to sexual harassment. He also said he didn’t think it was appropriate to run this story at this time, citing the ongoing Office for Civil Rights investigation. ■



Veronica Weber

According to Austin and other experts, the biggest threat of violence is after a break-up, a time of great volatility.

Violence within a dating relationship is not rare. Each year, about one in 10 teenagers suffers from physical violence at the hands of a boyfriend or girlfriend, according to the national Centers for Disease Control. However, often it is not recognized as a serious, widespread problem — threatening the mental, physical and educational health of many teens — as most incidents go unreported, unnoticed or minimized, according to experts in the field.

Research shows that the long-term consequences of dating abuse are more severe for young women, who are more frequently victimized — though young men too can be victims, as can partners in same-sex relationships, where the tendency to report is even lower due to added stigma and fear of being “outed,” according to experts.

“Many young victims do not recognize warning signs and confuse controlling behaviors as a sign of care. Fear and shame discourage victims from seeking help, and when they do, adults often minimize the potential for harm,” according to a Fact Sheet from California Assemblyman Ricardo Lara’s office, a legislative leader on this issue.

In 2012 Lara sponsored a bill to promote dating-abuse prevention programs and policies in schools, citing a “serious gap” in the Education Code. The proposed legislation, which is still pending, was in response to a teenage girl killed on school grounds in Lara’s district, as well as other publicized dating-related violent attacks.

In addition to proposed legislation, Peace Over Violence and an-

other nonprofit, California Partnership to End Domestic Violence (CPEDV), are partnering with the California Department of Education and California School Boards Association on a project, “Delta Focus,” to promote school environments that support healthy relationships and prevent adolescent dating abuse. The project includes development of policy resources for school boards, superintendents and other education stakeholders, according to Lisa Parks, CPEDV’s prevention program director.

Whether dating abuse and violence occurs on or off school grounds, it “can have devastating effects on academic achievement, campus safety and positive development ... (because) teens in a dating relationship also see each other at school and their violent association can cause a severe safety hazard to themselves and other students,” according to a report Austin co-authored with the California Attorney General’s Office, “Guide to Addressing Teen Dating and Sexual Violence in a School Setting.” (See sidebar: “Dating violence: What parents, other adults can do.”)

Laura and Mark were lucky in one way. Residents near Gunn noticed the problem, took immediate action and put a stop to the violence. They also exposed for the first time the dangerous dynamic in the teenagers’ relationship.

The adults now were the ones with their hands full.

The steps that followed, especially between Laura’s parents and school officials, illustrate the difficult issues faced when dating relationships turn violent. Within a six-week period, the parents and the school wrestled over the following:

- Whether the school should

have called Laura’s parents or taken other proactive steps when the neighbor called the school concerned about Laura’s safety;

- Whether the school was obligated to follow the terms of a 300-yard stay-away court order, which would have made it impossible for Mark and Laura to attend the same school;

- Whether the school could (or should) transfer Mark to Palo Alto High School;

- Whether the school’s proposed accommodations to allow Mark to continue to attend Gunn (assigning Mark and Laura walking routes at school, having security staff monitor Laura, etc.) were sufficient to ensure Laura’s safety;

- Whether the school could/should discipline Mark for any of his alleged misconduct on campus and/or to and from school.

“Getting to yes” with the school district proved difficult, stressful and time-consuming, Laura’s mother said. It required many emails, phone calls, meetings, research of school policies and Internet resources, consultations with private attorneys, the police and the district attorney. During the process, the family felt a continual sense of urgency to get an effective safety plan in place in time for Mark’s release at a date uncertain, possibly imminent.

Instead of being able to rely on the district as their ally, the family said they found themselves fighting an uphill battle in an effort to keep their daughter safe. They increasingly turned to the Santa Clara County District Attorney’s Office and Probation Department for help; by early November, those offices were able to facilitate an agreement with Mark’s family that he transfer to another school. The court also renewed for three

Dating violence: What parents, other adults can do

Each year, one in 10 American teenagers suffers from physical violence at the hands of a boyfriend or girlfriend, according to President Obama’s proclamation declaring February “National Teen Dating Violence Awareness and Prevention Month” for the fourth consecutive year.

The national Centers for Disease Control 2011 survey showed 9.4 percent of high school students reporting being hit, slapped or physically hurt on purpose by their boyfriend or girlfriend in the last 12 months.

Despite its prevalence, adults are often unaware that teens experience dating violence, the CDC’s website states. According to CDC and other experts, this is due to shame, stigma, fear of retaliation, lack of awareness, and adults’ tendency to minimize issues if reported.

Advice for adults: When a young person discloses abuse in a dating relationship*

- Approach without judging sexual or relationship choices
- Don’t assume sexual orientation or gender identity
- Be honest about your ability to keep information confidential
- Don’t control the situation, unless an emergency requires you to

- Ask youth how they want to handle the situation
- Don’t minimize the abuse or importance of the relationship
- Provide information on local, youth-friendly resources

Know what to say:*

- “You deserve to be treated with respect.”
- “This is important.”
- “I believe you.”
- “I’m glad you told me about this.”
- “It’s not your fault.”
- “I want you to be safe.”
- “I’m here if you ever need help or want to talk.”

More information on how parents can help if their teen is in an unhealthy dating relationship is posted on the “Love Is Respect” website (a collaboration of Break the Cycle and the National Dating Abuse Hotline) at loveisrespect.org/get-help/help-others/help-your-child.

Also, Palo Alto Police Department school liaison officer DuJuan Green recommends getting information about local agencies and support through the nonprofit Next Door (nextdoor.org) in San Jose. ■

* Source: Kelley Hampton, *Break the Cycle (breakthecycle.org)*

A longer version of this article is posted on [Palo Alto Online.com](http://PaloAltoOnline.com).

years the protective order requiring Mark to stay 300 yards away from Laura at all times, including her school, making it impossible for him to return to Gunn without violating the order.

The family was grateful and relieved and credited the criminal justice system with making the right thing happen. School officials appeared to share the relief.

“The good thing is the kid is in school in (another city), far away from the district and this young lady,” Superintendent Kevin Skelly wrote in an email to Board of Education member Melissa Baten Caswell.

But while the situation eventually resolved for Laura, Laura’s mother, a long-time PTA volunteer, today expresses her lack of confidence in the Palo Alto school district’s ability — or willingness — to be proactive in protecting a victim from further danger. She said she worries about the next victim of harassment, stalking and violence, especially if he or she chooses not to pursue criminal charges, which many victims are reluctant to do for a variety of reasons.

Is there good reason to believe the schools will handle things differently in the future? With the past as an indicator, Laura’s mother has doubt. (See online sidebar: “Women tell of partners who harassed, assaulted them.”)

Since the fall, Laura’s parents have had time to digest their experience and learn more about the school’s obligations under state and federal laws, including duties to investigate fully as soon as the school is on notice about possible sexual harassment and to take prompt and effective actions to provide remedies for victims, like their daughter, caught in a hostile environment at school. They believe those obligations were not recognized or fulfilled in their daughter’s case and that the school, especially after being alerted by the neighbor’s call prior to the attack, might have helped prevent further harassment and violence.

In March, Laura’s family filed a complaint alleging Title IX violations with the federal Of-

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Office for Civil Rights (OCR) and provided the Weekly with a copy of its complaint, which included a detailed statement of facts, copies of emails with school officials and the district attorney, and other documentation. The Office for Civil Rights opened an investigation at Gunn on March 24. (See online sidebar: "Title IX issues raised in latest federal civil-rights case.")

Laura's family decided to share its story with the Weekly to help others who might face similar situations in the future. Laura's parents asked that their identities, and certain identifying details, be kept anonymous to protect the privacy of Laura and Mark.

When Mark was taken into custody, the first issue that came up was how to keep him away from Laura, especially at school. The police helped the family obtain an emergency court order restraining Mark from coming within 300 yards of her; the order was effective for seven days (the maximum time available without a full court hearing).

The police told Laura's family that Mark could be released at any time. If that occurred within the next week, the temporary order would protect her, they advised, including preventing Mark from being at school because it would be impossible to stay the full 300 yards apart there. This general advice was confirmed by Palo Alto Police Department school liaison officer DuJuan Green; he told the Weekly that court protective orders must be obeyed by the restrained party, including on school grounds, or risk arrest and prosecution for violation.

In the meantime, the family was urged to pursue a more permanent court order, which they did.

After the arrest, as Laura's mother listened to what Laura was telling the police officer, she learned a number of facts for the first time. She learned about the extent of Mark's escalating verbal abuse and harassment after the break-up. She also learned about the stalking at school and en route to school, the concerned neighbor's call to the school, and Gunn Assistant Principal Trinity Klein's meeting with Laura about the call.

Laura's mother was especially upset that she had not been notified about the call; she later let Klein know that.



In response, Klein emailed: "I asked (Laura) very direct questions about their relationship and her safety, and she gave me every assurance that things were under control, she didn't need help, and she wasn't concerned about him hurting her. Unfortunately, I took her at her word.

"In hindsight, I too wish I had contacted you. At that time I did not know (all the facts) and (Laura) gave me every assurance that what was overheard was an isolated argument between a couple in a committed relationship."

After finishing up with the police on the day of the attack, Laura's mother went directly to Gunn and hand-delivered the restraining order to Principal Katya Villalobos, told her about the past week's harassment and stalking leading up to the attack that afternoon, and requested that the order be enforced whenever Mark was released. Villalobos said Klein would be handling the matter but was gone for the day (a Friday) and would call Laura's mother on Monday.

Klein called on Monday, and

Laura's mother briefed her as well on the past week's events. Klein told her that the school was not required to observe the restraining order because Mark had a right to attend Gunn regardless of the order. Klein also said that Gunn had had a previous case with a 300-yard restraining order in which the school didn't follow the specified yardage but instead followed the "spirit" of the order.

Laura's mother was stunned to hear this. Laura's parents did not think Mark could be trusted on the same campus with her and had been counting on the protection order to help keep her safe at school.

Laura's parents decided to appeal their concerns to higher-level officials.

In a Sept. 28 email to Villalobos and Skelly requesting a meeting that week, they wrote: "I know when (Mark) sees (Laura) at school, he'll be way too tempted to try to talk to her ... and I know that will just escalate again."

It would "be best for both parties" if Mark were transferred to Paly, they said. "We need a plan that can be executed immediately to ensure (Laura's) safety."

Klein replied by email: "This is not the kind of situation Dr. Skelly would be involved in, nor Ms. Villalobos."

Klein reiterated that she and Gunn Assistant Principal James Lubbe were "your point people until the situation demands otherwise, if it ever does."

Laura's mother emailed Skelly again: "As Trinity has replied, she does not think that this warrants your attention. However, as a parent, I disagree."

She said she wanted to be sure

he was informed of the situation. Skelly didn't respond.

In a later email sent to Katherine Baker, the district's secondary schools director, Laura's mother said: "Believe me, when a parent is told it does not warrant their

'Believe me, when a parent is told it does not warrant the (administrators') time after their daughter is assaulted, it does not help the situation.'

—Laura's mother

"No one wants any student to lose out on education, or to get into more legal trouble by violating an order, so there is a need to help support that restrained student as well as the protected student," she said.

"But at the same time, the school needs to be proactive in meeting these obligations. It can't just sit back. If the order is unworkable and the school feels stuck, it can't ignore the order. It needs to work it out with the judge, who is the ultimate authority on crafting the order so that all interests are protected," Bradford said.

Bradford said she has seen a number of cases in which these issues have come up in other schools and the first response has been "This is not our problem" or "We can't do anything." She said she thinks schools may be misinformed about their differing obligations to both students and need more guidance about how to reconcile these obligations.

Neena Chaudhry, senior counsel with the National Women's Law Center, told the Weekly that the first thing schools should do in cases like this is launch their own Title IX investigation, led by the district's designated "Title IX coordinator" (in Palo Alto, this is Associate Superintendent Charles Young, who was not involved in this case, according to Laura's mother). Chaudhry suggested that given the basic facts of this case, a full investigation probably should have commenced after the neighbor's call alerting officials there might be a problem (whether or not the victim cooperated) or at the very least after the attack occurred. The investigative findings by the Title IX coordinator, who

time after their daughter is assaulted, it does not help the situation."

Meanwhile, Laura's mother did not accept the school's information about not following the protective order. She checked again with the police, did Internet research and consulted two local attorneys; no one agreed with the school's position.

One Palo Alto attorney consulted was Emma Bradford. Bradford told the Weekly she was "incredibly surprised by the school's initial reaction" that it could be exempt from the letter of the 300-yard court order.

"This is an unfounded idea," she said.

 **READ MORE ONLINE** PaloAltoOnline.com

Title IX issues raised in latest federal civil-rights case

An article detailing the allegations in the Gunn High School family's complaint to the federal Department of Education's Office for Civil Rights (OCR) is posted at PaloAltoOnline.com.

The complaint was filed March 5 and alleges that the Palo Alto Unified School District violated Title IX of the Education Amendments of 1972 in its handling of peer sexual harassment and violence in which their daughter, a Gunn student, was victimized by her former boyfriend, also a Gunn student. ■



Veronica Weber

is required to have specialized training, would help shape the ultimate remedies, including the need to follow any court protection order, she said.

“Their hands are not tied,” Chaudhry said. “If they had concerns about how to implement remedies, they could go to the police, the court or the OCR for advice. There are ways to figure it out. They need to be proactive to keep students safe in their learning environment.”

“No one wants to transfer kids from one school to another lightly,” she said, but at the same time, she doesn’t think students have a right to attend one school over another within a district, especially if safety and hostile environment issues are at stake. These are determinations that need to be made in conjunction with a full investigation, she said. (See online sidebar: “Title IX issues raised in latest federal civil-rights case.”)

In a phone conversation on Sept. 30, as confirmed by the district to supporting and protecting (Laura). In doing so, we also have to follow the laws that govern our work.” She reiterated that “transferring (Mark) to another school without the request coming from the family itself is an expulsion. ... (Mark) has not done anything that would warrant an expulsion.”

Klein’s assertion about transfers proved incorrect. Transferring a student to another comprehensive high school in the district does not require grounds for expulsion because unlike suspension or expulsion, “an involuntary transfer does not deny access to public education,” a legal principle affirmed in a recent California ap-

pellate court decision. According to several legal experts consulted by the Weekly, reasonable justification (which could include, but not be limited to, disciplinary grounds or threat to another student) is sufficient, as long as the

‘I’d estimate in about 90 percent of cases, it is seen as easier to ask the victim to make concessions, even though the law may require otherwise.’
—Kelley Hampton of non-profit “Break the Cycle”

pellate court decision. According to several legal experts consulted by the Weekly, reasonable justification (which could include, but not be limited to, disciplinary grounds or threat to another student) is sufficient, as long as the

district has “substantial evidence” to back its decision. Secondary Schools Director Baker, when contacted a few weeks later by Laura’s mother for help, described her understanding of what was required for the transfer process: “We cannot transfer a student to another school without going through a process that justifies the transfer. The restraining order would be a crucial piece in considering a transfer.”

One reason Klein thought that Mark could not be suspended or expelled was that she mistakenly thought the Sept. 20 attack had occurred in Laura’s home, even though Laura’s mother had dis-

cussed the assault with Klein and written to her about it. This mistaken assumption came to light in an Oct. 3 email from Klein, two weeks after the attack. Eventually Klein was set straight about this.

Three weeks after the attack, Laura’s parents and school officials (Klein and Lubbe) finally met. By this time, Laura’s family had retained a lawyer, and they let the school know this. Meanwhile, Mark was still in custody, but no one knew for how much longer.

Laura’s parents talked in this meeting about the danger they felt Laura would be in if Mark returned to campus, given past behaviors, and how upset Laura was at the prospect. Also they said they had learned that Mark had already disregarded the protection order by phoning Laura repeatedly from the juvenile detention center.

Disciplinary options were discussed, though no action plan was formulated at the meeting. Klein still did not think any discipline was warranted, even if the assault occurred on the way home from school because, as she explained it, Mark had cut classes that week and so wasn’t “in school” even though he was allegedly on campus stalking Laura. Klein said his failure to attend classes rendered any misconduct on those days outside the school’s disciplinary jurisdiction.

Klein also said that even if the school had jurisdiction, discipline would need to be approached progressively, so the more serious measures of suspension (or expulsion) were not available even in that case.

Laura’s mother was skeptical; Klein’s explanation did not seem

logical or fair to her, she told the Weekly. It seemed to her like the school was foot-dragging.

Pace Over Violence attorney Austin and other dating violence experts say reluctance to take action is a common school response where concerns about the aggressor’s rights traditionally loom larger than concerns about protecting the victim.

“Schools traditionally have fought a lot of battles around a perpetrator’s right to access education,” Austin said. “As a result, victims’ circumstances are not weighed as heavily in many instances.” Fear of legal battles over disciplinary and transfer issues often overwhelm concerns about liability to victims under Title IX or state tort law, which are less familiar legal territory to schools, she said.

Victims are commonly expected by schools to make more concessions than perpetrators, Austin said. In these cases, accommodations such as walking routes, security detail and chang-

ing classrooms are common. If a school change is necessary for safety, often it is the victims who end up making the switch.

Other experts agree. “I’d estimate in about 90 percent of cases, it is seen as easier to ask the victim to make concessions, even though the law may require otherwise,” Kelley Hampton of non-profit “Break the Cycle” (which works with schools nationwide) told the Weekly. Schools have a duty to comply with court orders, Hampton said, but in her experience, some do and some don’t. She said her organization tries to bring schools “into awareness that it’s not just liability involved, but it’s also about preventing future violence” that could affect all students at a school.

The ACLU’s Women’s Rights Project is a leading legal expert in this area. According to staff attorney Sandra Park: “A school can’t unilaterally decide not to follow the terms of a court order.” If that order has been made, she said, there has been a court finding that the restrained party is a threat to the protected party within the specified yardage, and the school “needs to deal with that legal reality.”

“The OCR’s letter on this is an important tool to educate schools about this,” she said, referring to the Office for Civil Rights’ 2011 “Dear Colleague Letter” about sexual harassment and violence.

After Laura’s family met with Klein and Lubbe, the school decided it could suspend Mark for the Sept. 20 incident. Klein’s Oct. 14 email conveying this information did not offer a reason for this reversal, but Klein later explained to Laura’s mother that she had found a teacher Mark talked to at school on Sept. 20, so therefore Mark was “in school” that day after all, allowing the school to discipline, according to the Office for Civil Rights complaint documents.

On Oct. 17, county deputy district attorney Barbara Cathcart confirmed in an email to Laura’s mother that it was the judge’s policy in all juvenile domestic violence cases to issue a standard three-year, 300-yard stay-away protection order if the juvenile admits to or is found to have committed any of the charged offenses.

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READ MORE ONLINE PaloAltoOnline.com

Women tell of partners who harassed, assaulted them

Two former Gunn High School students — one who wished to remain anonymous and the other, Sarah Van Zanten, who now speaks nationwide on the topic of teen dating violence — shared their stories of harmful relationships with their high school partners with the Palo Alto Weekly. They talk about their efforts to get help from school staff, the difficulties they had with doing so, and how their experiences have motivated them to encourage teens today to build healthy, respectful relationships.

Read their stories on PaloAltoOnline.com. ■

(continued from previous page)

es. She indicated that this would mean that the two teens could not attend the same school.

"In fact, it would probably be impossible," she said.

Laura's mother relayed this and other Cathcart updates over the next few days to Klein. On Oct. 21, Laura's mother also let Klein know that if Mark were to be released with a 300-yard order, as expected, and the school allowed him back on campus, that she would call the police and they would arrest him on campus.

Klein replied within the hour: "You are correct that we can require a change of placement if the restraining order is over 300 yards."

The next morning, Oct. 22, Klein spoke directly with Cathcart. Following that conversation, Klein took the "following precautionary steps" documented in an email to Laura's mother: communicating with Mark and his family that Mark was not to come to campus at this time and outlining next steps for a meeting off campus; informing pertinent school staff that Mark was not permitted on campus and how to respond if he were seen; exploring options for alternative school environments; filing a suspension for the Sept. 20 attack; and sending an email to all of Laura's teachers advising them of the situation.

Laura's parents were gratified and relieved at Klein's turnaround and willingness, finally, to take clear, assertive actions to protect Laura. Baker also emailed her assurances: "I believe (Trinity) is on top of this situation. ... At this point the boy is not permitted on campus, and we are exploring every option to ensure that (Laura) remains safe at school."

Laura's mother replied: "I do appreciate that Trinity has been much more communicative and helpful in the past week or so. But it was a rough start, and I think some of the legal statements she made ... were too quickly stated before checking facts. And because it took us so long to actually meet with her, some of the facts of the case she had wrong (like the fact that the assault did not happen at my house ...). Just seemed like knee-jerk statements in the beginning, but I do agree that much improvement has been made."

The final disposition hearing occurred Nov. 5, resulting in the expected three-year, 300-yard protection order, Mark's release and his attendance at a new school.

A week later, Laura's parents sent an email to the school board and Skelly. They characterized the school's handling of their case as "pitiful" and listed areas they believed to be in need of improvement, including: better staff training on what to do (and whom to consult) when legal or other difficult issues arise; better communication among school staff

(especially regarding multiple incidents of misconduct involving the same student); better communication between school staff and parents (especially if safety issues are suspected, as when the concerned neighbor called the school about Laura); and more effective use of discipline and measures to ensure victim safety.

"Maybe our feedback can help the next family that faces a bullying/assault issue in our district. They shouldn't have to endure the same mistreatment," Laura's parents wrote. They believe that parents should be able to rely on the school for accurate, expert information and clear protocols for handling such a crisis. Not every family will have the resources or inclination to involve law enforcement or private attorneys to help them persevere.

Shortly after emailing the board, Laura's mother heard for the first time from Skelly, who called and then emailed: "(We) will be seeing what we can learn from the experience. I for one will be changing my practice of asking staff members at sites to respond on my behalf to making contact directly with whoever has a concern."

Baker also called Laura's mother; that conversation was reported to Caswell (with whom Laura's mother had earlier met to ask for help) by email the next

day: "Katherine (Baker) admitted that this boy could have been considered for expulsion since it was a serious enough offense ... something Trinity told me no way could be done, even though I pointed out (information to the contrary) in the school handbook. ... So Katherine said that she will be sure to tell Trinity that in the future when something serious like this arises, to be sure to escalate to Katherine right away so it will be handled better." Laura's mother disputed this point to Caswell, saying that district officials "knew all along (of the situation's seriousness) and still just backed Trinity up."

She concluded: "I can't see where anything will ever change in this district."

On Nov. 23 Laura's mother wrote Skelly, Baker and Villalobos: "I am willing to meet if gaining more information would help to ensure this fiasco did not happen again."

Ten days later, she re-sent the email, having heard no response.

The next day, Dec. 4, she heard from Skelly. In their final phone call, Laura's mother said he declined to meet, saying: "No, thanks. I think we're good." ■

Editor's note: Freelance writer Terri Lobdell is married to Weekly Publisher Bill Johnson. She can be emailed at tlobdell@pawekly.com.

COMMUNITY MEETING

Review the proposed playground and landscape improvements for Bowden Park.

Wednesday, May 28, 2014
7:00 PM – 8:00 PM

Bowden Park
2298 High Street, Palo Alto, CA 94301



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Women tell of high school partners who harassed, assaulted them

Former Palo Alto students speak out about their experiences

by Terri Lobdell

Two former Gunn High School students are speaking out about the abusive relationships they were involved in and the difficulties they encountered in trying to get help from school staff.

Sarah's story

Sarah Van Zanten, a former Gunn High School student and now 25, has been speaking to audiences across the nation for about nine years on the topic of teen dating violence and the importance of [helping teens build healthy relationships](#). Her speaking engagements have included colleges, high schools, medical schools and Girl Scout troops. She has appeared on the Today Show, was featured in [People Magazine](#) and has [her own blog](#) on the topic.

Locally, Sarah speaks annually at Hillview Middle School, has addressed a group of teen boys at Santa Clara County Juvenile Hall and returned to Gunn to speak to a P.E. class a few years ago, she told the Weekly.

Sarah tries to reach as many teens and adult supporters as she can through speeches, posting her own story on [key websites](#) and other [related volunteer work](#).

Sarah's story began at Gunn, in 2005, at the age of 15 when she began going out with a fellow student and popular football player.

"I thought I had it all," she writes. She never dreamed she might become a dating-violence statistic.

Still there were warning signs she didn't recognize at first: Her boyfriend called and texted constantly, asking where she was and with whom. He put down her friends and was resentful of social time she spent with others. He had a temper and drank too much. He would do things to hurt her feelings and then bring her flowers to make up.

Sarah became isolated and unsure what to do, in part because his behaviors were always "cloaked in the disguise of love and affection and at that age I had no reason to know that they were not OK," Sarah describes on the [Safe at Schools website](#).

Sarah told the Weekly that the first violent incident happened at school. Her boyfriend was drunk and out of control; during a break, Sarah hid from him near her next class. He found her, threw her against the lockers, shook her and warned her never to try to hide from him again. She ran crying to the classroom. He pursued her and slammed her up against the classroom door before she escaped into the classroom.

According to Sarah, the teacher appeared not to notice the commotion. Her crying continued through the class. No one said anything to her. After class, she found a trusted teacher, told the teacher what had happened and then went to the administration. The school suspended the boy for two days for being drunk, Sarah told the Weekly, but there was no punishment for the assault.

This left her very confused, she said. She couldn't understand why the school officials acted as if he hadn't done anything wrong with respect to her.

In retrospect, her parents should have been called, she said. No counseling or other resources were offered.

Sarah wrote on the Safe at Schools website: "I needed the guidance of my teachers and school staff to help me deal with the scary situation I was incapable of handling. The school only suspended him for two days for being drunk despite me asking for help and the school knowing that he had been physically violent toward me on campus. I felt scared, confused, and betrayed.

"It still shocks me that even though students saw the assault and my teacher saw the aftermath, when I actively sought help from my school I was turned away. If a boy came to school drunk and fought in the hall with a peer, the school would have punished him for the drinking *and* the violence. I don't know why they did not handle my case in the same way.

"If the school had handled my situation appropriately, I probably would have sought help and spoken with my parents. Maybe this would have given me the knowledge and strength I needed to leave the relationship."

Sarah thinks it would have helped her situation if the school had had policies and protocols in place to address dating abuse, measures she and others advocate on the [Safe at Schools website](#).

Though Sarah considered breaking up after this school incident and ignored the boy for a time, she finally relented in response to the boy's flowers, apologies and pleas for forgiveness. She felt ashamed and socially isolated and didn't think anyone else would understand or support her.

"He was my life," she said. She decided to give him another chance.

Soon after, Sarah was at a weekend party where the boy was drunk, lost his temper and kicked her so hard that she was knocked unconscious for six hours. No one at the party helped her, Sarah thinks because they were afraid of getting in trouble for under-age drinking. When Sarah woke up, she had a severe concussion and two bruised ribs.

She told her parents what happened; they called the police. The boy was sent to Juvenile Hall. Sarah obtained a restraining order for a radius of 300 yards. Upon his release, the boy began attending Palo Alto High School instead of Gunn, which the district required him to do, Sarah told the Weekly.

Meanwhile, the Monday morning after the party, when Sarah returned to Gunn, she found herself the target of vicious rumors. Peers were upset at her for reporting the boy to the police. She had gone too far, they said.

Sarah's house was egged repeatedly. The final straw was when Sarah was physically threatened by another student. Sarah left Gunn that day and didn't return. She and her mother made arrangements with administrators to switch to a private school. Sarah said the school officials were sympathetic and supportive but really couldn't do anything at that point to make Gunn safe for her.

In reflecting on her experience, Sarah decided that she wanted to learn more about relationship abuse, domestic violence and available support networks. She came to realize what a serious problem it is, affecting many teens. Teens often tend to normalize violence and abuse in their young relationships, she said. She wanted to change that.

In telling her story, she feels she is making a difference and inspiring teens to recognize and avoid dating abuse and the threat of violence that comes with it. She is helping them understand what a healthy relationship looks like and how to build one.

Diana's story

A Gunn 2010 graduate, Diana (not her real name) was the victim of harassment and physical assault on campus by her former romantic partner, a fellow Gunn student.

The problems began after their break up. Her partner spread damaging rumors, called Diana hurtful names and encouraged mutual friends to ostracize her. Over a period of months, Diana and two friends who stuck by her were increasingly picked on by the larger friend group.

"It was an intensive barrage," Diana said.

She began to feel increasingly afraid physically for herself and her two friends. She was also afraid to tell any adult, believing physical harm might come to her if she did. One of her former partner's favorite expressions was "snitches get stitches."

Diana eventually grew desperate enough to approach a school administrator. His response was to ask one of the security staff to keep an eye out for her and her friends. The harassment continued as before.

Diana and her two friends decided to try again and approached another administrator. They asked him to tell the harassing students to stay away from them.

"We wanted protection," she said.

The administrator did not appear to take their complaints seriously, Diana said, and told them they should try to avoid the other students, and "step away" from any harassing conduct.

"This was drama occurring between people of color," Diana said. He expected them to handle it among themselves, she said.

The harassment continued. A few weeks later, walking to class, Diana was assaulted from behind by her former partner, who pushed her, hit her and tore her clothes, exposing her private parts and causing her to bleed from the nose and chest. This assault was videotaped by students who watched with their phones held out. Teachers arrived to stop the attack, and an administrator escorted Diana to the office.

The police were called. According to Diana, the attacking student was arrested and also suspended for five days by the school.

An administrator asked Diana not to come to school for a few days to allow her to recover.

"We don't want people to talk, to put you in that situation," Diana recounted the administrator telling her.

"I didn't want to come to school; I was very embarrassed," Diana said. She heard reports from other students that photos and videos taken of the assault were being shown around at school. "Not my private parts, just the fight part."

When Diana returned to classes, she said there was no follow up from the school to see how she was doing, and no counseling was offered. After that, "I became a loner and wanted high school to be over," she said.

She was absent much of the rest of the school year, calling in her own excuses, due to fears of her former partner (who still attended Gunn), embarrassment and a serious depression that developed after the attack.

"School was not a welcoming place for me. I didn't want to be in that space. I tried hard to avoid it," she said.

After graduation, Diana became involved romantically with another abusive partner who hurt her physically; this time the police department offered her counseling services.

"That helped and taught me a lot," she said.

Since then, Diana has attended community college, working part-time to help with expenses.

"College has been the best thing ever," she said. She has done well academically and is pursuing a career in law enforcement, something she has always wanted to do.

Her high school years remain a bad memory.

"I asked for help, and no one came to my aid," she said.



<http://paloaltoonline.com/news/print/2014/05/23/title-ix-issues-raised-in-latest-federal-civil-rights-case>

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Title IX issues raised in latest federal civil-rights case

Complaint details allegations of school officials' inadequate response

by Terri Lobdell

A complaint to the federal Department of Education's Office for Civil Rights (OCR) was filed March 5 by a Gunn High School family (see [When teen dating violence hits](#)), alleging that the school district violated Title IX of the Education Amendments of 1972 in its handling of peer sexual harassment and violence in which their daughter, a Gunn student, was victimized by her former boyfriend, also a Gunn student.

On March 24, the federal agency [gave notice](#) to the district and teenage girl's family that it was opening an investigation of the allegations, as [reported in the Weekly](#) earlier this month.

In addition to investigating the individual complaint, according to an Office for Civil Rights email to the family, the agency will be "investigating how the District has responded to other complaints of peer based sexual harassment/sexual violence at Gunn High School" as part of a "standard approach in OCR investigations into complaints of sexual harassment/sexual violence and part of how we assess the broader climate at a school."

The Office for Civil Rights' initial request for data, attached to the district's notice with redactions to protect student privacy, seeks records from the district dating from the 2011-12 school year related to sexual harassment or sexual violence involving Gunn students, including incidents alleging peer-to-peer or employee-to-student harassment. This is similar to the Office for Civil Rights' data request sent to Palo Alto High School in connection with [a Title IX compliance investigation](#) the agency began there in June 2013.

According to the notices sent to both high schools, by opening an investigation, the Office for Civil Rights "in no way implies that OCR has made a determination with regard to the merits."

Federal investigators were conducting interviews at Gunn with staff this week, according to the Gunn complainant, whose family was also interviewed.

On May 13-14, according to reports received by the Weekly, federal attorneys visited Palo Alto High School to conduct interviews with staff there in connection with that separate investigation.

The Office for Civil Rights' 2011 [Dear Colleague Letter](#) details schools' obligations regarding sexual harassment and sexual violence, and defines sexual harassment as "unwelcome conduct of a sexual nature," including "unwelcome sexual advances ... and other verbal, nonverbal or physical conduct of a sexual nature."

Sexual harassment, sexual assault and gender-based violence are all prohibited forms of discrimination based upon sex, as Office for Civil Rights' guidance documents and [Title IX experts](#) make clear.

As part of National Teen Dating Violence Awareness and Prevention Month, Education Secretary Arne Duncan sent [a letter in February 2013](#) to all chief state school officers highlighting the need for schools to take action against all forms of "gender-based violence," including sexual assault, intimate partner or teen dating violence, and stalking. (See [Dating Violence: What is it, and what schools and parents can do.](#))

Under Title IX, a school district is not responsible for the actual acts of sexual harassment or violence

committed by students, but instead is responsible for its own response once it is on notice that such peer misconduct has occurred. The nature of this obligation is summarized in the 2011 Office for Civil Rights letter:

"If a school knows or reasonably should know about student-on-student harassment that creates a hostile environment, Title IX requires the school to take immediate action to eliminate the harassment, prevent its recurrence, and address its effects."

According to the letter, the school's first step is to promptly investigate once it has notice (regardless of whether a complaint is filed or a victim cooperates) to determine what occurred and what appropriate steps are required to resolve the situation. This is a duty that arises not just from the facts of an individual case, but also from the school's overarching duty to preserve a non-discriminatory learning environment for all students.

The letter also says "a school should minimize the burden on the complainant" when taking steps to separate the victim from the harasser.

A hostile environment is created when "conduct is sufficiently serious that it interferes with or limits a student's ability to participate in or benefit from the school's program." The more severe the misconduct, according to the 2011 letter, the less need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the misconduct is physical.

The Gunn family's Title IX complaint, a copy of which was provided to the Weekly by the family, includes the following allegations:

- The school failed to investigate and stop the harassment when it first had notice there was a problem between the two students;
- Even after the physical assault, the school did not promptly or fully investigate;
- The school failed to take appropriate steps to ensure that the harassment did not recur and to address its effects, including resisting the family's requests for assurances that the court stay-away order be complied with, that the harasser be transferred to Paly ("an equally good comprehensive, college preparatory high school"), and that the harasser be disciplined for his alleged misconduct on campus and on the way home from school (ultimately, weeks later the school disciplined for the physical attack but not for the other forms of harassment);
- "We are particularly alarmed that the school informed us that it had a practice of not enforcing restraining orders and that in prior, similar cases of dating violence the district had instead followed what it called 'the spirit of the restraining order'";
- For weeks, the school offered a variety of inaccurate reasons for why it could not discipline the harasser or transfer him to Paly;
- The school's alternate proposal of a "safety plan" (with designated walking routes for both students and assigned campus supervisor to monitor the victim from a distance for at least a week) was inadequate to protect the victim, placing the victim in serious danger if it failed and imposing an unreasonable burden on the victim given the circumstances and other options available;
- As a result of the sexual harassment, combined with the school's inadequate response, the victim experienced a hostile educational environment, including emotional stress and negative academic impacts;
- The district did not respond appropriately to the family's appeals to district-level officials about the school administrator's handling of the matter ("there was no discernible procedure," "no one seemed to recognize that stalking and dating violence could constitute sexual harassment," and "no one implemented, or referred us to the school's sexual harassment complaint procedure or the district Uniform Complaint Procedure");

- School administrators appeared to be inadequately trained in recognizing and responding effectively to notice of situations involving possible sexual harassment;
- A victim of sexual harassment should not be required to go to the police or obtain a court order in order for the school to consider transferring the harasser to another school; and
- A victim of sexual harassment should not have to turn to the prosecutor and probation department for assistance in ensuring her safety at school, including getting their help in facilitating the harasser's agreement to transfer to another school.

The complaint concludes: "It is our hope that OCR will thoroughly investigate this matter and ensure that all consequences of the harassment on our daughter are fully remedied. If any systemic issues ... are found we would like OCR to ensure that the district makes any necessary changes to its sexual harassment response ... so that any future cases will be handled appropriately."

In response to the Office for Civil Rights' notice of the filing of this complaint and investigation, the district issued a statement on May 2: "We welcome OCR input on how we may improve our continuing efforts to educate students and staff on preventing sexual harassment and discrimination, encourage the reporting of any concerns promptly, and take positive steps to maintain safe and inclusive schools for all."



<http://paloaltoonline.com/news/print/2014/05/23/dating-violence-what-it-is-and-what-schools-and-parents-can-do>

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Dating violence: What it is, and what schools and parents can do

by Terri Lobdell

Each year, one in 10 American teenagers suffers physical violence at the hands of a boyfriend or girlfriend, according to [President Obama's proclamation](#) declaring February "National Teen Dating Violence Awareness and Prevention Month" for the fourth consecutive year.

The national Centers for Disease Control 2011 [survey](#) showed 9.4 percent of high school students reporting being hit, slapped or physically hurt on purpose by their boyfriend or girlfriend in the last 12 months.

Despite its prevalence, adults are often unaware that teens experience dating violence, the CDC's website states. According to CDC and other experts, this is due to shame, stigma, fear of retaliation, lack of awareness, and adults' tendency to minimize issues if reported.

[Research has shown](#) a strong connection between teen dating violence and increased risks affecting education, physical and mental health.

"Experiencing such abuse can have devastating effects on academic achievement, campus safety, and positive development. The trauma of relationship ... violence can lead to depression, poor concentration, drug and alcohol abuse (and) suicidal tendencies," according to [a report commissioned](#) in 2008 by the California Attorney General's office and Department of Education.

Other governmental and nonprofit agencies also cite widespread impacts, including beyond the victim and perpetrator to their [families, schools and community](#).

Experts recognize that teen dating abuse can begin a dangerous and vicious cycle of relationship violence, which is one reason advocacy organizations nationwide are working to raise awareness about the importance of building healthy relationships and to develop training and protocols for response and intervention when dating violence occurs.

"Unhealthy relationships can start early and last a lifetime," CDC's website explains. "Teens who are victims in high school are at higher risk for victimization through college. ... (They) may carry the patterns of violence into future relationships."

"Without proper support and intervention, young victims find it extremely difficult to change abusive patterns as they become adults," [a fact sheet](#) published by Break the Cycle, a leader in the field of teen dating violence prevention, states.

Although all victims of gender-based violence -- an umbrella term that includes dating violence, as well as sexual assault and human trafficking -- are affected negatively, [research shows that females](#) are more often the victims; women also experience more severe and longer-lasting consequences than do males.

The California Attorney General's report defines "teen dating violence" as "a pattern of behavior where one person uses threats of or actual physical, sexual and/or emotional abuse to control his or her partner ... and can include verbal abuse ... stalking and other forms of intimidation."

After a break-up is the most volatile time for dating violence to occur, according to Emily Austin, staff lawyer with Los Angeles-based nonprofit [Peace Over Violence](#), and co-author of the California Attorney General's report. Spikes in violence occur then because control over a partner is threatened, Austin and other experts say.

The CDC includes stalking in its definition of dating violence, as does the [Department of Justice's Office on Violence Against Women](#) because it is associated with patterns of violence.

In addition to stalking behaviors, experts say that [<http://www.loveisrespect.org/is-this-abuse/is-this-abuse> other warning signs can include: when partners repeatedly check your cell phones or emails without permission, constantly put you and your friends down, display extreme jealousy, have an explosive temper or make false accusations.

In Feb. 2013, U.S. Education Secretary Arne Duncan [sent a letter](#) to all chief state school officers asking them to take action to elevate awareness of this issue, provide training and education to staff and students, and develop policies and procedures to help prevent and respond to incidents. Duncan emphasized the need for a comprehensive approach due to "the unique challenges" presented by dating violence, including victim reluctance to report and the trauma impacts involved.

Schools are well-positioned to respond to dating violence, most experts agree, citing the [large percentage of dating violence incidents](#) that occur at school (about 40 percent), and the fact that schools are at the center of teens' social lives.

Lisa Parks, program director for the California Partnership to End Domestic Violence, says that prevention starts with educating young people about how to build healthy relationships, how to identify the signs of an unhealthy dating relationship, and where to get help if abuse occurs.

"The school environment is the place to start," Parks said. "Everybody in the school community needs to know how to intervene early, and who is responsible for what. It should be spelled out." Her organization and other dating violence prevention professionals also view schools as the hub for reaching the greater parent community.

A specific focus of prevention programs is learning how to respect boundaries, Parks said. In an unhealthy relationship, boundary violations occur constantly, with adults and peers often witness to examples long before violence erupts. Helping teens learn skills to recognize and change the dynamic is key. Noticing the warning signs, and intervening early and appropriately can make all the difference.

As teen couples become close, a "sense of ownership" can arise, Parks said, and in turn invade a partner's sense of autonomy and privacy. Stalking is one manifestation of this dynamic, where boundaries are completely disrespected, Parks said.

School communities need to work "to normalize bringing up the issues," Parks said. School communities also benefit from partnering with local police and community-based groups, to help connect victims and perpetrators to nearby resources offering support and specialized services.

An important goal, Parks said, is to be able to send students off to college well-equipped to deal with sexual and relationship issues they will encounter in that typically larger, less structured environment.

When it comes to dating-violence curriculum and intervention protocols, there is no need to re-invent the wheel. According to Austin, Peace Over Violence developed one of the first teen-based [dating violence curriculum](#) called "In Touch with Teens," which is now widely used in California. Austin also referenced an updated "Start Strong" [prevention program](#) funded by the Robert Wood Johnson Foundation in collaboration with Peace Over Violence and other groups nationwide.

Models exist for response and intervention policies as well: One was released in 2010 by [Break the Cycle](#); the other more recently by the [Roberts Woods Johnson Foundation](#) as part of its "Futures Without Violence" initiative.

Both models contain comprehensive guidelines for school personnel regarding enforcement of protection orders, determining appropriate accommodations if both students remain on campus, and developing school-based stay-away agreements. The Futures Without Violence model policy also details Title IX duties and requirements.

According to Austin, school districts in Los Angeles, San Diego and Oakland currently are working on implementing versions of these model policies. The Los Angeles school board was an early leader, adopting a policy resolution to address dating violence issues in 2011, including hiring a special coordinator, training school staff, and educating students and parents.

The federal Office on Violence Against Women has awarded grants to LAUSD and districts in eight other states to support these school efforts to implement dating violence prevention and response programs, according to Kelley Hampton with Break the Cycle, one of the groups working with schools nationwide under the federal grant program.

Palo Alto district officials and administrators declined to discuss with the Weekly their own efforts regarding school policies, trainings and protocols for responding to incidents of dating-related violence, stalking and harassment, as described in the editor's note accompanying [the main story](#).

Superintendent Kevin Skelly provided the Weekly with written information, however, describing a variety of district-wide efforts "to prevent discrimination, harassment and related bullying based on sex and to ensure that our schools and classrooms are safe and respectful places for all," according to his email.

The materials provided describe numerous trainings of staff, students and parents around bullying, harassment, disability awareness and discrimination issues. Multiple school curricula and activities also promote social kindness, respect, healthy relationships, responsible Internet use, and the importance of approaching trusted adults when help is needed.

Relationships and sexual misconduct issues are covered in high school Living Skills curriculum and "many related activities," Skelly noted.

Skelly also referenced the new board policy on [sexual harassment](#) (BP 5145.7), adopted by the board on Feb. 11, which includes "dating violence, stalking and relationship abuse" for the first time in the list of prohibited conduct that may constitute sexual harassment. This policy requires all reports and complaints alleging prohibited conduct to be handled under the district's Uniform Complaint Procedures (UCP), set out in [http://pausd.org/community/board/Policies/downloads/AR%201312%203_UCP.pdf AR 1312.3, also newly revised.

"We are committed to continuing to move this important work forward at the community, district, school, classroom, and student levels," Skelly wrote.

The district's efforts are also detailed in the [district's written response](#) to an apparent data request from the Office for Civil Rights (OCR) in connection with the sexual harassment [compliance review investigation](#) the Office for Civil Rights began in June 2013 at Palo Alto High School. The five-page undated summary appears to have been prepared in early February.

According to this document, posted on the district's website, the district's Title IX coordinator, Associate Superintendent Charles Young, has attended two conferences on sexual harassment and sexual misconduct, in 2013 and 2014. He also attended sexual-harassment trainings during 2004-11 in Pleasanton, where he was then employed.

This document also reports that no complaints of sexual harassment involving Palo Alto High School students were processed using the UCP since the beginning of the 2011 school year. Such incidents that did occur (a total of 30 over the past 2.5 school years, according to the document) were addressed using Paly's discipline procedures. Also the document notes that the only other incidents of which the district had notice are two additional incidents that the district has "reviewed with OCR's investigating attorneys during the initial phase of this investigation."

With a new Office for Civil Rights investigation of sexual harassment incidents just begun at Gunn High School in late March (see sidebar, [Title IX issues raised in latest federal civil-rights case](#)), the district's response to the data request in that investigation has not been made public at this time.

For adults: When a young person discloses abuse in a dating relationship

- Approach without judging sexual or relationship choices
- Don't assume sexual orientation or gender identity
- Be honest about your ability to keep information confidential
- Don't control the situation, unless an emergency requires you to
- Ask youth how they want to handle the situation
- Don't minimize the abuse or importance of the relationship
- Provide information on local, youth-friendly resources

Know what to say:

- "You deserve to be treated with respect."
- "This is important."
- "I believe you."
- "I'm glad you told me about this."
- "It's not your fault."
- "I want you to be safe."
- "I'm here if you ever need help or want to talk."

Source: Kelley Hampton, Break the Cycle (<http://www.breakthecycle.org/>).

More information on how parents can help if their teen is in an unhealthy dating relationship is posted on the "Love Is Respect" [website](#) (a collaboration of Break the Cycle and the National Dating Abuse Hotline).

Also, Palo Alto Police Department school liaison DuJuan Green recommends getting information about local agencies and support through the nonprofit [Next Door](#) in San Jose.