

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 567 Session of 2017

INTRODUCED BY DAVIS, READSHAW, KINSEY, O'BRIEN, MURT, BULLOCK,
YOUNGBLOOD, WATSON, V. BROWN, D. COSTA, NEILSON, DONATUCCI,
KORTZ, FREEMAN AND DALEY, FEBRUARY 21, 2017

REFERRED TO COMMITTEE ON EDUCATION, FEBRUARY 21, 2017

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," in safe schools, further providing
6 for Office for Safe Schools; and, in terms and courses of
7 study, further providing for dating violence education.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Sections 1302-A(c) (7) and 1553 of the act of
11 March 10, 1949 (P.L.30, No.14), known as the Public School Code
12 of 1949, are amended to read:

13 Section 1302-A. Office for Safe Schools.--* * *

14 (c) In addition to the powers and duties set forth under
15 subsection (b), the office is authorized to make targeted grants
16 to school entities to fund programs which address school
17 violence, including:

18 * * *

19 (7) Development and implementation of research-based
20 violence prevention programs that address risk factors to reduce

incidents of problem behaviors among students including, but not limited to, bullying and dating violence.

* * *

Section 1553. Dating Violence Education.--(a) The department, through its Office for Safe Schools, and in consultation with the State Board of Education, shall:

(1) Develop, within six (6) months of the effective date of this section, a model dating violence policy to assist school districts in developing policies for dating violence reporting and response.

(2) Consult with at least one (1) domestic violence center and at least one (1) rape crisis center in developing the model dating violence policy.

(b) [(1) Each school district may establish a specific policy to address incidents of dating violence involving students at school.]

(1.1) Each school district shall establish a specific policy to address incidents of dating violence involving students within one (1) year of the effective date of this paragraph. Each school district shall verify compliance with the department on an annual basis through the annual school health report.

(2) The policy [may] shall include, but need not be limited to: a statement that dating violence will not be tolerated; dating violence reporting procedures; discipline procedures for students that commit dating violence [at school] against others; and contact information for and resources available through domestic violence programs and rape crisis programs.

(2.1) No school district shall be required to establish a new policy if one exists on the effective date of this paragraph and the policy reasonably fulfills the requirements of this

1 section.

2 (3) [A] Each school district [that establishes the policy]
3 shall:

4 (i) Publish the policy in any school district policy or
5 handbook that specifies the comprehensive rules, procedures and
6 standards of conduct for students at school.

7 (ii) Make the policy available on its publicly available
8 Internet website.

9 (ii.1) Make the policy available in every classroom.

10 (ii.2) Post the policy in a prominent location within each
11 school building where the notices are usually posted.

12 (iii) Provide parents and guardians with a copy of the
13 policy.

14 (iv) Ensure that the policy is reviewed with students within
15 ninety (90) days after the policy is adopted and at least once
16 each school year following the adoption of the policy.

17 (4) The State Board of Education shall conduct a study of
18 the benefits and detriments of mandatory dating violence
19 education and shall submit a report of its recommendations to
20 the chairman and minority chairman of the Education Committee of
21 the Senate and the chairman and minority chairman of the
22 Education Committee of the House of Representatives within three
23 (3) years of the effective date of this section.

24 (c) (1) A school district [may] shall provide dating
25 violence training to all administrators, teachers, guidance
26 counselors, nurses and mental health staff at the middle school
27 and high school level. Upon the recommendation of the district
28 superintendent, other staff may be included or may attend the
29 training on a voluntary basis. The school district may also
30 provide dating violence training to parents.

(2) The dating violence training [may] shall include, but need not be limited to: basic principles of dating violence; warning signs of dating violence; the school district's dating violence policy; appropriate responses to incidents of dating violence [at school]; and services and resources available through domestic violence programs and rape crisis programs.

(3) The training shall be provided annually to all newly hired staff deemed appropriate to receive the training by the school's administration.

(4) Each school district shall consult with each domestic violence program and each rape crisis program that serves the region where the school district is located for the development and implementation of the dating violence policy and for the coordination of the content and provision of dating violence training for school district employees.

(c.1) A school district shall inform the students' parents or legal guardians of the school district's dating violence policy. If requested, the school district shall provide the parents or legal guardians with the school district's dating violence policy and relevant information. The school district may provide parent awareness training.

(d) (1) A school district [may] shall incorporate dating violence education and peer support training that is age appropriate into the annual health curriculum framework for students in grades [nine (9)] seven (7) through twelve (12). In developing such a policy, the school district shall consult with [at least one (1)] each domestic violence program [or] and rape crisis program that serves the region where the school district is located.

(2) Dating violence education [may] shall include, but need

1 not be limited to: defining dating violence and recognizing
2 dating violence warning signs; characteristics of healthy
3 relationships; [information regarding peer support and the role
4 friends and peers have in addressing dating violence;] and
5 contact information for and the services and resources available
6 through domestic violence centers and rape crisis centers,
7 including detailed information concerning safety planning,
8 availability and enforcement of protection from abuse orders and
9 the availability of other services and assistance for students
10 and their families. The school district shall provide students
11 with the school district's dating violence policy.

12 (2.1) Peer support training shall include, but need not be
13 limited to: information regarding the role friends and peers
14 have in addressing dating violence and bystander intervention
15 and reporting strategies in dating violence situations.

16 (3) The department, through its Office for Safe Schools, in
17 consultation with at least one (1) domestic violence center and
18 at least one (1) rape crisis center, shall provide school
19 [districts] entities with [grade-appropriate] educational
20 materials regarding dating violence [and healthy relationships
21 for the purpose of assisting school districts in preparing an
22 instructional program on dating violence. The department may use
23 educational materials that are already publicly available for
24 this purpose.] and peer support training and shall prepare model
25 grade-appropriate topics relating to dating violence, healthy
26 relationships and peer support training for the purpose of
27 assisting school entities in preparing an instructional program
28 on dating violence.

29 (4) [A] Upon written request to the school principal, a
30 parent or legal guardian of a student who is under eighteen (18)

1 years of age, within a reasonable period of time after the
2 request is made, shall be permitted to examine the dating
3 violence education program instructional materials at the school
4 in which the student is enrolled.

5 (5) At the request of a parent or guardian, a student shall
6 be excused from all or parts of the dating violence education
7 program. The principal shall notify all parents or guardians of
8 their ability to withdraw their children from instruction in the
9 program by returning a signed opt-out form.

10 (e) Nothing in this section shall be construed as preventing
11 a person from seeking judicial relief from dating violence under
12 any other law or as establishing or modifying any civil
13 liability.

14 (f) As used in this section, the following words and phrases
15 shall have the meanings given to them in this subsection:

16 "At school." The term shall have the meaning given to school
17 property as defined in section 1301-A.

18 "Dating partner." A person, regardless of gender, involved
19 in an intimate relationship with another person, primarily
20 characterized by the expectation of affectionate involvement,
21 whether casual, serious or long term.

22 "Dating violence." Behavior where one person uses threats
23 of, or actually uses, physical, sexual, verbal or emotional
24 abuse to control the person's dating partner.

25 "Department." The Department of Education of the
26 Commonwealth.

27 "Domestic violence center." The term shall have the meaning
28 given in section 2333 of the act of April 9, 1929 (P.L.177,
29 No.175), known as "The Administrative Code of 1929."

30 "Domestic violence program." The term shall have the meaning

1 given in section 2333 of the act of April 9, 1929 (P.L.177,
2 No.175), known as "The Administrative Code of 1929."

3 "Rape crisis center." The term shall have the meaning given
4 in section 2333 of the act of April 9, 1929 (P.L.177, No.175),
5 known as "The Administrative Code of 1929."

6 "Rape crisis program." The term shall have the meaning given
7 in section 2333 of the act of April 9, 1929 (P.L.177, No.175),
8 known as "The Administrative Code of 1929."

9 Section 2. This act shall take effect July 1, 2017, or
10 immediately, whichever is later.