

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2026 Session of 2009

INTRODUCED BY CONKLIN, BROWN, GOODMAN, HARHAI, BRIGGS, HOUGHTON, SIPTROTH, READSHAW, M. O'BRIEN, K. SMITH, MURT, HARKINS, BOYLE, FRANKEL, LENTZ, SOLOBAY, MELIO, BELFANTI, SANTONI, MAHONEY, KORTZ, McGEEHAN, D. COSTA AND BRADFORD, OCTOBER 6, 2009

REFERRED TO COMMITTEE ON EDUCATION, OCTOBER 6, 2009

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 terms and courses of study,  
6 providing for dating violence education.

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

9 Section 1. The act of March 10, 1949 (P.L.30, No.14), known  
10 as the Public School Code of 1949, is amended by adding a  
11 section to read:

12 Section 1526. Dating Violence Education.--(a) The  
13 department shall develop a model dating violence policy to  
14 assist school districts in developing policies for dating  
15 violence reporting and response. The model policy shall be  
16 issued on or before April 1, 2010.

17 (b) (1) (i) Each school district shall establish a  
18 specific policy to address incidents of dating violence

1 involving students at school by December 1, 2010. Each school  
2 district shall verify compliance with the department on an  
3 annual basis through the annual school health report.

4 (ii) The policy shall include, but not be limited to, a  
5 statement that dating violence will not be tolerated, dating  
6 violence reporting procedures, guidelines for responses to  
7 dating violence at school and discipline procedures for students  
8 that commit dating violence at school.

9 (iii) The policy shall be published in any school district  
10 policy or handbook that specifies the comprehensive rules,  
11 procedures and standards of conduct for students at school.

12 (2) (i) A school district shall provide dating violence  
13 training to all administrators, teachers, nurses and mental  
14 health staff at the middle school and high school levels. Upon  
15 the recommendation of the district superintendent, other staff  
16 may be included or may attend the training on a volunteer basis.

17 (ii) The dating violence training shall include, but not be  
18 limited to, basic principles of dating violence, warning signs  
19 of dating violence, the school district's dating violence policy  
20 and appropriate responses to incidents of dating violence at  
21 school.

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

25 (3) A school district shall inform the students' parents or  
26 legal guardians of the school district's dating violence policy.  
27 If requested, the school district shall provide the parents or  
28 legal guardians with the school district's dating violence  
29 policy and relevant information. The school district may provide  
30 parent awareness training.

1 (4) (i) A school district shall incorporate dating violence  
2 education that is age-appropriate into the annual health  
3 curriculum framework for students in grades seven through  
4 twelve.

5 (ii) Dating violence education shall include, but not be  
6 limited to, defining dating violence and recognizing dating  
7 violence warning signs and characteristics of healthy  
8 relationships. The school district shall also provide students  
9 with the school district's dating violence policy.

10 (c) Upon written request to the school principal, a parent  
11 or legal guardian of a student who is under eighteen (18) years  
12 of age, within a reasonable period of time after the request is  
13 made, shall be permitted to examine the dating violence  
14 education program instruction materials at the school in which  
15 the student is enrolled.

16 (d) This section shall not be construed as preventing a  
17 person from seeking judicial relief from dating violence under  
18 any other law or as establishing or modifying any civil  
19 liability.

20 (e) As used in this section, the following words and phrases  
21 shall have the meanings given to them in this subsection:

22 "At school" shall mean in a classroom, on or immediately  
23 adjacent to school premises, on a school bus or other school-  
24 related vehicle, at an official school bus stop or at any  
25 school-sponsored activity or event whether or not it is on  
26 school grounds.

27 "Dating partner" shall mean a person, regardless of gender,  
28 involved in an intimate relationship with another person,  
29 primarily characterized by the expectation of affectionate  
30 involvement, whether casual, serious or long-term.

1 "Dating violence" shall mean a pattern of behavior where one  
2 person uses threats of, or actually uses, physical, sexual,  
3 verbal or emotional abuse to control the person's dating  
4 partner.

5 "Department" shall mean the Department of Education of the  
6 Commonwealth.

7 Section 2. This act shall take effect in 60 days.