

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1705 Session of
2017

INTRODUCED BY MURT, BOBACK, V. BROWN, DALEY, DEAN, DRISCOLL,
HILL-EVANS, KINSEY, SCHWEYER, SIMS AND WATSON,
AUGUST 16, 2017

REFERRED TO COMMITTEE ON EDUCATION, AUGUST 16, 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 terms and courses of study,
6 further providing for dating violence education.

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

9 Section 1. Section 1553 of the act of March 10, 1949
10 (P.L.30, No.14), known as the Public School Code of 1949, is
11 amended to read:

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

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

19 (2) Consult with at least one (1) domestic violence center

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

3 (b) (1) [Each school district may] Beginning with the 2018-
4 2019 school year, each school entity shall establish a specific
5 policy to address incidents of dating violence involving
6 students at school.

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

13 (3) [A school district that establishes the policy] Each
14 school entity shall:

15 (i) Publish the policy in any school [district] entity
16 policy or handbook that specifies the comprehensive rules,
17 procedures and standards of conduct for students at school.

18 (ii) Make the policy available on its publicly available
19 Internet website.

20 (iii) Provide parents and guardians with a copy of the
21 policy.

22 [(4) The State Board of Education shall conduct a study of
23 the benefits and detriments of mandatory dating violence
24 education and shall submit a report of its recommendations to
25 the chairman and minority chairman of the Education Committee of
26 the Senate and the chairman and minority chairman of the
27 Education Committee of the House of Representatives within three
28 (3) years of the effective date of this section.]

29 (c) (1) [A school district may provide] Beginning with the
30 2018-2019 school year, each school entity shall provide at the

high school level annual dating violence training to guidance counselors, nurses [and], mental health staff [at the high school level.] and all instructors whose teaching responsibilities include a course of study in which instruction under subsection (d) is integrated. Upon the recommendation of the [district superintendent] chief school administrator, other staff may be included or may attend the training on a voluntary basis. The school [district] entity may also 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] entity'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.

(d) (1) [A school district may] Beginning with the 2018-2019 school year, each school entity shall incorporate dating violence education that is age appropriate into the annual health curriculum framework for students in grades nine (9) through twelve (12). In developing such a policy, the school [district] entity shall consult with at least one (1) domestic violence program or rape crisis program that serves the region where the school [district] entity is located.

(2) Dating violence education [may] shall include, but need not be limited to: defining dating violence and recognizing dating violence warning signs; characteristics of healthy relationships; information regarding peer support and the role friends and peers have in addressing dating violence; and contact information for and the services and resources available

1 through domestic violence centers and rape crisis centers,
2 including detailed information concerning safety planning,
3 availability and enforcement of protection from abuse orders and
4 the availability of other services and assistance for students
5 and their families.

6 (3) The department, through its Office for Safe Schools, in
7 consultation with at least one (1) domestic violence center and
8 at least one (1) rape crisis center, shall provide school
9 [districts] entities with grade-appropriate educational
10 materials regarding dating violence and healthy relationships
11 for the purpose of assisting school [districts] entities in
12 preparing an instructional program on dating violence. The
13 department may use educational materials that are already
14 publicly available for this purpose.

15 (4) A parent or legal guardian of a student who is under
16 eighteen (18) years of age, within a reasonable period of time
17 after the request is made, shall be permitted to examine the
18 dating violence education program instructional materials at the
19 school in which the student is enrolled.

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

25 (e) Nothing in this section shall be construed as preventing
26 a person from seeking judicial relief from dating violence under
27 any other law or as establishing or modifying any civil
28 liability.

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

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

3 "Dating partner." A person, regardless of gender, involved
4 in an intimate relationship with another person, primarily
5 characterized by the expectation of affectionate involvement,
6 whether casual, serious or long term.

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

10 "Department." The Department of Education of the
11 Commonwealth.

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

15 "Domestic violence program." The term shall have the meaning
16 given in section 2333 of the act of April 9, 1929 (P.L.177,
17 No.175), known as "The Administrative Code of 1929."

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

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

24 "School entity." A school district, intermediate unit, area
25 vocational-technical school, charter school, cyber charter
26 school or regional charter school.

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