Bill No: **HB 615**   **49th Legislature, 1st Session, 2009**

Short Title: **School Dating Violence Policies**

Sponsor(s):   **Representatives Anna M. Crook, Gail Chasey, Jane E. Powdrell-Culbert,**
              Gloria C. Vaughn and Others

Analyst: **Dorinda Fox**   Date: **February 12, 2009**

Bill Summary:

HB 615 adds a new section of the *Public School Code* to require public schools to adopt dating violence policies and amends a section of the *Public School Code* to incorporate dating violence information into health education curricula in grades 7-12. Among its provisions, on or before January 1, 2010, HB 615 requires:

- the Public Education Department (PED) to develop a model policy to assist local school boards in developing policies for reporting and responding to dating violence; and
- each local school board to establish dating violence policies to include:

  ➢ a statement that dating violence will not be tolerated;
  ➢ dating violence reporting procedures;
  ➢ guidelines for responding to incidents of dating violence at school; and
  ➢ discipline procedures for incidents of dating violence at school.

The bill also requires:

- local school boards to include the dating violence policy in any school district discipline policy; and
- school districts to:

  ➢ provide dating violence training to administrators, teachers, nurses, and mental health staff at the middle and high school levels including basic principles of dating violence and warning signs as well as the policy; and
  ➢ inform students' parents of the dating violence policy.

HB 615 includes a provision that does not prevent a victim from seeking redress under any other available law, either civil or criminal; and does not create or alter any tort liability.

Finally, HB 615 amends a section of law in the *Public School Code* relating to minimum instructional areas that:

- requires age-appropriate instruction on dating violence to be incorporated into the health education curriculum in grades 7-12; and
- allows the parent of a student less than 18 years of age, upon written request to the school principal, to examine the dating violence education instructional materials at the student's school.

Fiscal Impact:

HB 615 makes no appropriation.

According to the PED analysis, if HB 615 is passed:

- dating violence will be required to be included in current health education books; and
- additional undetermined costs could result if separate books must be purchased. The analysis states that the next adoption cycle for health education is scheduled for 2011.

Issues:

If enacted, HB 615 would initiate the creation of school policies on dating violence. It would provide for the training of school staff, provide dating violence education for students, and offer to students an avenue for reporting incidents of dating violence to school authorities.

The Children, Youth and Families Department analysis provides the following information related to dating violence:

- In New Mexico, one in 10 students reports having been physically abused by their boyfriend or girlfriend in the past 12 months, and over 8.0 percent reported being forced to have sex, with girls reporting at twice the frequency of their male peers.

- Nationally, one in three girls who have been in a serious relationship report they worry about being physically hurt by their partner. One in five teens who have been in a serious relationship report being hit, slapped, or pushed by a partner. Twenty-three percent of teens that had been physically or sexually assaulted by a dating partner reported the abuse to no one.

- Also, on a national scale, of the female adolescents between the ages 16-19 murdered each year from 1990-1999, 22 percent were killed by intimate partners.

The PED analysis observes that the policy would require reporting of dating violence incidences but does not address the reporting and responding processes, nor does the bill indicate when or how often the dating violence training should be conducted.

Related Bills:

None known as of February 12, 2009.