COMMITTEE AMENDMENT ADOPTED

March 17, 2009

**S. 266**

Introduced by Senator Leventis

S. Printed 3/17/09--S.

Read the first time January 14, 2009.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑1‑490 SO AS TO REQUIRE THE DEPARTMENT OF EDUCATION TO DEVELOP A MODEL DATING VIOLENCE POLICY TO ASSIST SCHOOL DISTRICTS IN DEVELOPING SUCH POLICIES, TO REQUIRE THE POLICY TO BE PUBLISHED IN SCHOOL DISTRICTS AND SCHOOL HANDBOOKS, TO REQUIRE EACH DISTRICT TO PROVIDE DATING VIOLENCE TRAINING ANNUALLY TO ADMINISTRATORS, TEACHERS, NURSES, GUIDANCE COUNSELORS, AND SOCIAL WORKERS, AND TO REQUIRE SCHOOL DISTRICTS TO INFORM THE PARENTS OF STUDENTS OF THIS POLICY; AND BY ADDING SECTION 59‑32‑100 SO AS TO REQUIRE EACH SCHOOL DISTRICT ANNUALLY TO INCLUDE DATING VIOLENCE EDUCATION IN ITS COMPREHENSIVE HEALTH EDUCATION CURRICULUM, TO PROVIDE THAT THE DEPARTMENT SHALL REVIEW AND APPROVE GRADE LEVEL TOPICS RELATING TO DATING VIOLENCE AND HEALTHY RELATIONSHIPS; AND TO REQUIRE A SCHOOL, UPON REQUEST, TO PERMIT THE PARENT OR GUARDIAN OF A STUDENT TO EXAMINE THE DATING VIOLENCE EDUCATION PROGRAM INSTRUCTION MATERIALS.

Amend Title To Conform

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The General Assembly finds that when a student is a victim of dating violence, his or her academic life suffers and his or her safety at school is jeopardized.

The General Assembly further finds that, subject to General Assembly appropriations, a policy to create an environment free of dating violence must be a developed in each school district. It is the intent of the General Assembly to enact legislation requiring each school district to develop a policy for responding to incidents of dating violence. All students have a right to work and study in a safe, supportive environment that is free from harassment, intimidation and violence.

SECTION 2. Article 5, Chapter 1, Title 59 of the 1976 Code is amended by adding:

“Section 59‑1‑490. (A)As used in this section:

(1) ‘Dating violence’ means a pattern of behavior where one person uses threats of, or actually uses, physical, sexual, verbal or emotional abuse to control his or her dating partner.

(2) ‘Dating partner’ means a person, regardless of gender, involved in an intimate relationship with another primarily characterized by the expectation of affectionate involvement whether casual, serious, or long term.

(3) ‘At school’ means in a classroom, on or immediately adjacent to school premises, on a school bus or other school‑related vehicle, at an official school bus stop, or at a school sponsored activity or event whether or not it is on school grounds.

(B) The State Department of Education, in collaboration with the South Carolina Coalition Against Domestic Violence and Sexual Assault, shall develop a model dating violence policy to assist school districts in developing policies for dating violence reporting and response. The model policy must be developed on or before July 1, 2009.

(C)(1) Each school district shall develop a specific policy to address incidents of dating violence involving students at school by the 2010‑2011 school year. Upon implementation of the policy, each school district shall verify compliance with the department on an annual basis.

(2) This policy must include, but is not limited to, a statement that dating violence will not be tolerated, dating violence reporting procedures, guidelines to responding to at school incidents of dating violence, and discipline procedures specific to these incidents.”

SECTION 3. This act takes effect upon approval by the Governor.

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