**South Carolina General Assembly**

121st Session, 2015-2016

**H. 3222**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. M.S. McLeod, Cobb‑Hunter and McKnight

Document Path: l:\council\bills\agm\18463ab15.docx

Introduced in the House on January 13, 2015

Currently residing in the House Committee on **Education and Public Works**

Summary: Department of Education to develop a model dating violence policy

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/18/2014 House Prefiled

12/18/2014 House Referred to Committee on **Education and Public Works**

1/13/2015 House Introduced and read first time ([House Journal‑page 154](file:///h:\HJ%20Archive\2015\01-13-15.docx))

1/13/2015 House Referred to Committee on **Education and Public Works** ([House Journal‑page 154](file:///h:\HJ%20Archive\2015\01-13-15.docx))

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**VERSIONS OF THIS BILL**

[12/18/2014](file:///p:\pprever\2015-16\3222_20141218.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑1‑495 SO AS TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO DEVELOP A MODEL DATING VIOLENCE POLICY TO ASSIST SCHOOL DISTRICTS IN DEVELOPING THEIR OWN POLICIES FOR REPORTING AND RESPONDING TO DATING VIOLENCE, TO PROVIDE WHAT MUST BE INCLUDED IN THE POLICIES, TO DEFINE NECESSARY TERMINOLOGY, TO PROVIDE REPORTING AND PUBLICATION REQUIREMENTS, TO REQUIRE SCHOOL DISTRICTS TO INFORM PARENTS AND GUARDIANS OF THE POLICY AND TO PROVIDE PARENTS WITH A COPY OF THE POLICY UPON REQUEST, AND TO PROVIDE THAT THE PROVISIONS OF THIS ACT DO NOT PREVENT A VICTIM FROM SEEKING REDRESS UNDER OTHER CIVIL OR CRIMINAL LAWS; BY ADDING SECTION 59‑1‑477 SO AS TO PROVIDE THAT THE DEPARTMENT OF EDUCATION AND THE SOUTH CAROLINA COALITION AGAINST DOMESTIC VIOLENCE AND SEXUAL ASSAULT, WITH THE REVIEW OF THE DEPARTMENT OF SOCIAL SERVICES, SHALL DEVELOP CERTAIN GUIDELINES AND MATERIALS FOR CONTINUING EDUCATION CONCERNING DATING VIOLENCE, TO PROVIDE EACH SCHOOL DISTRICT SHALL ADOPT A CURRICULUM FOR CONTINUING EDUCATION ON DATING VIOLENCE FOR TEACHERS AND APPROPRIATE STAFF SUBJECT TO APPROVAL BY THE DEPARTMENT, TO PROVIDE THAT CERTAIN ONLINE CLASSES MAY BE USED AS PART OF THIS CURRICULUM, TO PROVIDE THAT AT LEAST ONE CREDIT OF CONTINUING EDUCATION IN DATING VIOLENCE DEVELOPED USING THIS CURRICULUM ANNUALLY MUST BE COMPLETED BY TEACHERS AND APPROPRIATE STAFF, AND TO PROVIDE THAT AN EDUCATOR WHO HOLDS A PROFESSIONAL CERTIFICATE MUST USE THESE CREDITS TO SATISFY CREDENTIAL RENEWAL REQUIREMENTS; AND TO AMEND SECTION 59‑1‑475, RELATING TO CONTINUING EDUCATION ON DOMESTIC VIOLENCE FOR EDUCATORS, SO AS TO REVISE EXISTING REQUIREMENTS, TO PROVIDE THAT CERTAIN ONLINE CLASSES MAY BE USED AS PART OF THIS CURRICULUM, TO PROVIDE THAT AT LEAST ONE CREDIT OF CONTINUING EDUCATION IN DOMESTIC AND FAMILY VIOLENCE DEVELOPED USING THIS CURRICULUM ANNUALLY MUST BE COMPLETED BY TEACHERS AND APPROPRIATE STAFF, AND TO PROVIDE THAT AN EDUCATOR WHO HOLDS A PROFESSIONAL CERTIFICATE MUST USE THESE CREDITS TO SATISFY CREDENTIAL RENEWAL REQUIREMENTS.

Whereas, 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; and

Whereas, the General Assembly further finds that because all students have a right to work and study in a safe, supportive environment that is free from harassment, intimidation, and violence, a policy to create an environment free of dating violence among students in grades seven through twelve must be present in each school district and educators should receive training on this subject and the related subject of domestic violence each year. Now, therefore,

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

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

“Section 59‑1‑495. (A) As used in this chapter:

(1) ‘Dating violence’ means a pattern of behavior in which one dating partner uses threats of, or actually uses, physical, sexual, verbal, or emotional abuse to control his or her dating partner, or who engages in stalking as defined in Section 16‑3‑1700(C).

(2) ‘Dating partner’ means a person involved in a dating relationship with another.

(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 takes place on school grounds.

(4) ‘Department’ means the South Carolina Department of Education.

(B) On or before December 1, 2015, the department shall develop a model dating violence prevention policy to assist school districts in developing policies for reporting and responding to dating violence among students in grades seven through twelve. This prevention policy must include, but may not be limited to, a statement that dating violence will not be tolerated, dating violence reporting procedures, guidelines for responding to at school incidents of dating violence, and disciplinary procedures specific to these incidents.

(C)(1) By the beginning of the 2016‑2017 school year, each school district shall establish a specific prevention policy to address incidents of dating violence involving students in grades seven through twelve. Each school district annually shall verify with the department compliance with this provision, in a manner established by the department.

(2) To ensure notice of the school district’s dating violence prevention policy, the prevention policy must be published in school and school district handbooks or any publications on the school or district website that provide the rules, procedures, or standards of conduct for students at school.

(D) Each school district shall inform the students’ parents or legal guardians of the school district’s dating violence prevention policy. Upon request, the school district shall provide parents or legal guardians with a copy of the school district’s dating violence prevention policy and relevant information.

(E) This section does not prevent a victim from seeking redress under any other available law, either civil or criminal.”

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

“Section 59‑1‑477. (A) The Department of Education and the South Carolina Coalition Against Domestic Violence and Sexual Assault, with the review of the Department of Social Services, shall develop guidelines and materials for continuing education concerning dating violence including, but not limited to:

(1) the nature, extent, and causes of dating violence, particularly with respect to students;

(2) prevention of the occurrence of dating violence among students;

(3) sensitivity to gender bias and cultural, racial, and sexual issues;

(4) the lethality and traumatic aftereffects of dating violence; and

(5) legal issues relating to dating violence and juvenile detention for violations.

(B) Each school district shall adopt a curriculum for continuing education on dating violence for teachers and appropriate staff based on the guidelines and materials developed by the department pursuant to subsection (A) which must be submitted to the department for approval. Online classes developed or approved by the South Carolina Coalition Against Domestic Violence and Sexual Assault can be used as part of this curriculum.

(C) At least one credit of continuing education in dating violence developed pursuant to this section annually must be completed by teachers and appropriate staff. An educator who holds a professional certificate must use these credits to satisfy credential renewal requirements.”

SECTION 3. Section 59‑1‑475 of the 1976 Code, as added by Act 92 of 2003, is amended to read:

“Section 59‑1‑475. (A) The Department of Education and the South Carolina Coalition Against Domestic Violence and Sexual Assault, with the review ~~and approval~~ of the Department of Social Services, shall develop guidelines and materials for continuing education concerning domestic and family violence including, but not limited to:

(1) the nature, extent, and causes of domestic and family violence;

(2) issues of domestic and family violence concerning children;

(3) prevention of the use of violence by children;

(4) sensitivity to gender bias and cultural, racial, and sexual issues;

(5) the lethality of domestic and family violence;

(6) legal issues relating to domestic violence and child custody.

(B) Each school district shall adopt a curriculum for continuing education on domestic and family violence for teachers and appropriate staff based on the guidelines and materials developed by the department pursuant to subsection (A) which must be submitted to the department for approval. ~~No expense shall be incurred by the school districts to administer the implementation of this curriculum.~~ Online classes developed or approved by the South Carolina Coalition Against Domestic Violence and Sexual Assault can be used as part of this curriculum.

(C) At least one credit of continuing education in domestic and family violence developed pursuant to this section annually must be completed by teachers and appropriate staff. An educator who holds a professional certificate must use these credits to satisfy credential renewal requirements.”

SECTION 4. This act takes place upon approval by the Governor.

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