

2021 -- H 6469

LC003075

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N A C T

RELATING TO EDUCATION -- HEALTH AND SAFETY OF PUPILS

Introduced By: Representatives Alzate, Felix, Kazarian, Casimiro, Barros, Baginski,
Giraldo, and S Lima

Date Introduced: June 24, 2021

Referred To: House Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-21-30 of the General Laws in Chapter 16-21 entitled "Health and
2 Safety of Pupils" is hereby amended to read as follows:

3 **16-21-30. Dating violence policy.**

4 (a) As used in this section:

5 (1) "Dating violence" means a pattern of ~~behavior where one person uses threats of, or~~
6 ~~actually uses, physical, sexual, verbal or emotional abuse to~~ abusive or coercive behaviors used to
7 exert power and control ~~his or her~~ over a current or former dating partner. Behaviors may occur
8 online, in person, or through the use of technology. Abuse may be physical, verbal, emotional,
9 sexual, financial, or psychological and includes threats, isolation, and intimidation.

10 (2) "Dating partner" means any person, regardless of gender, involved in an intimate
11 relationship with another primarily characterized by the expectation of affectionate involvement
12 whether casual, serious or long-term.

13 (3) "At school" means in a classroom, on or immediately adjacent to school premises, on a
14 school bus or other school-related vehicle, at an official school bus stop, or at any school-sponsored
15 activity or event whether or not it is on school grounds.

16 (b) The department of education shall develop a model dating violence policy to assist
17 school districts in developing policies for dating violence reporting and response. The model policy
18 shall be issued on or before April 1, 2008.

19 (c) Each school district shall establish a specific policy to address incidents of dating

1 violence involving students at school by December 1, 2008. Each school district shall verify
2 compliance with the department of education on an annual basis through the annual school health
3 report.

4 (1) Such policy shall include, but not be limited to, a statement that dating violence will
5 not be tolerated, dating violence reporting procedures, guidelines to responding to at school
6 incidents of dating violence and discipline procedures specific to such incidents.

7 (2) To ensure notice of the school district's dating violence policy, the policy shall be
8 published in any school district policy and handbook that sets forth the comprehensive rules,
9 procedures and standards of conduct for students at school.

10 (d) Each school district shall provide dating violence training to all administrators,
11 teachers, nurses and mental health staff at the middle and high school levels. Upon the
12 recommendation of the administrator, other staff may be included or may attend the training on a
13 volunteer basis. The dating violence training shall include, but not be limited to, basic principles of
14 dating violence, warnings signs of dating violence and the school district's dating violence policy,
15 to ensure that they are able to appropriately respond to incidents of dating violence at school.
16 Thereafter, this training shall be provided yearly to all newly hired staff deemed appropriate to
17 receive the training by the school's administration.

18 (e) Each school district shall inform the students' parents or legal guardians of the school
19 district's dating violence policy. If requested, the school district shall provide the parents or legal
20 guardians with the school district's dating violence policy and relevant information. It is strongly
21 recommended that the school district provide parent awareness training.

22 (f) Each school district shall collect data regarding instances of student misconduct that are
23 considered dating violence. As part of the usual course of discipline data submission to the
24 department of education, each school district shall specify when a particular infraction is also
25 considered dating violence.

26 ~~(f)~~(g) This section does not prevent a victim from seeking redress under any other available
27 law, either civil or criminal. This section does not create or alter any tort liability.

28 SECTION 2. Section 16-22-24 of the General Laws in Chapter 16-22 entitled "Curriculum
29 [See Title 16 Chapter 97 - The Rhode Island Board of Education Act]" is hereby amended to read
30 as follows:

31 **16-22-24. Dating violence education.**

32 (a) Each school district shall incorporate dating violence education that is age-appropriate
33 into the annual health curriculum framework for students in grades seven (7) through twelve (12).

34 (1) Dating violence education shall include, but not be limited to, defining dating violence,

1 recognizing dating violence warning signs and characteristics of healthy relationships.
2 Additionally, students shall be provided with the school district's dating violence policy as provided
3 in subsection 16-21-30(c).

4 (2) For the purposes of this section:

5 (i) "Dating violence" means a pattern of ~~behavior where one person uses threats of, or~~
6 ~~actually uses, physical, sexual, verbal or emotional abuse to~~ abusive or coercive behaviors used to
7 exert power and control ~~his or her~~ over a current or former dating partner. Behaviors may occur
8 online, in person, or through the use of technology. Abuse may be physical, verbal, emotional,
9 sexual, financial, or psychological and includes threats, isolation, and intimidation.

10 (ii) "Dating partner" means any person involved in an intimate association with another
11 primarily characterized by the expectation of affectionate involvement whether casual, serious or
12 long-term.

13 (iii) "At school" means in a classroom, on or immediately adjacent to such school premises,
14 on a school bus or other school-related vehicle, at an official school bus stop, or at any school
15 sponsored activity or event whether or not it is on school grounds.

16 (3) To assist school districts in developing a dating violence education program, the
17 department of education shall review and approve the grade level topics relating to dating violence
18 and healthy relationships in the "health literacy for all students: the Rhode Island health education
19 framework."

20 (4) The provisions of this section shall be amended in the health education curriculum
21 sections of the Rhode Island rules and regulations for school health programs, R16-21-SCHO, and
22 the Rhode Island basic education program at their next revisions.

23 (b) Upon written request to the school principal, a parent or legal guardian of a pupil less
24 than eighteen (18) years of age, within a reasonable period of time after the request is made, shall
25 be permitted to examine the dating violence education program instruction materials at the school
26 in which his or her child is enrolled.

27 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO EDUCATION -- HEALTH AND SAFETY OF PUPILS

1 This act would amend the definition of dating violence to include abusive and coercive
2 behaviors used to exert control and power over current or former dating partners and would provide
3 that dating violence can include online, in person, and technological means and provides that abuse
4 may be physical, verbal, emotional, sexual, financial, or psychological and includes threats,
5 isolation, and intimidation.

6 This act would take effect upon passage.

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