

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 SENATE BILL 1098

By: Johnson (Constance)

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6 AS INTRODUCED

7 An Act relating to schools; stating legislative
8 findings; declaring legislative intent; defining
9 terms; requiring the State Department of Education to
10 develop a model dating violence policy by certain
11 date; requiring each district board of education to
12 establish certain policy by certain date; specifying
13 content of policy; requiring policy to be published
14 in certain documents; requiring certain training;
15 providing for content of training; requiring
16 districts to inform parents or legal guardians
17 concerning policy; requiring districts to provide
18 policy to certain persons upon request; recommending
19 certain training; specifying other remedies of the
20 victim are not prohibited by this act; providing this
21 act does not create or alter any tort liability;
22 requiring school districts to incorporate certain
23 dating violence education into certain curricula;
24 providing for content of such education; requiring
the Department to review and approve certain
standards; authorizing parents or legal guardians to
examine certain instruction materials; providing for
codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

21 SECTION 1. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 24-100.7 of Title 70, unless
23 there is created a duplication in numbering, reads as follows:
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1 The Oklahoma Legislature hereby finds, determines and declares
2 that when a student is a victim of dating violence, his or her
3 academic life suffers and his or her safety at school is
4 jeopardized. The Oklahoma Legislature further finds that a policy
5 to create an environment free of dating violence shall be a part of
6 each school district so that all students may enjoy the right to
7 work and study in a safe, supportive environment that is free from
8 harassment, intimidation and violence. It is therefore the intent
9 of the Oklahoma Legislature to enact legislation that would require
10 each school district to establish a policy for responding to
11 incidents of dating violence and to provide dating violence
12 education to students, parents, staff, teachers, and administrators,
13 in order to prevent dating violence and to address incidents
14 involving dating violence.

15 SECTION 2. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 24-100.8 of Title 70, unless
17 there is created a duplication in numbering, reads as follows:

18 A. For purposes of this act:

19 1. "Dating violence" means a pattern of behavior where one
20 person uses threats of, or actually uses, physical, sexual, verbal
21 or emotional abuse to control his or her dating partner;

22 2. "Dating partner" means any person, regardless of gender,
23 involved in an intimate relationship with another primarily
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1 characterized by the expectation of affectionate involvement whether
2 casual, serious or long-term; and

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

7 B. The State Department of Education shall develop a model
8 dating violence policy to assist school districts in developing
9 policies for dating violence reporting and response. The model
10 policy shall be issued on or before December 31, 2009.

11 C. 1. Each district board of education shall establish a
12 specific policy to address incidents of dating violence involving
13 students at school by July 31, 2010.

14 2. Each district policy shall include, but not be limited to, a
15 statement that dating violence will not be tolerated, reporting
16 procedures for dating violence, guidelines to responding to at
17 school incidents of dating violence and discipline procedures
18 specific to such incidents.

19 3. To ensure notice of the district's dating violence policy,
20 the policy shall be published in the district policy and handbook
21 that sets forth the comprehensive rules, procedures and standards of
22 conduct for students at school.

23 D. Each district shall provide dating violence training to all
24 administrators, teachers, nurses, and mental health staff at the

1 middle and high school levels. Upon the recommendation of the
2 school principal, other staff may be included or may attend the
3 training on a volunteer basis. The dating violence training shall
4 include, but not be limited to, basic principles of dating violence,
5 warning signs of dating violence, and the school district's dating
6 violence policy, to ensure that they are able to appropriately
7 respond to incidents of dating violence at school. Thereafter, this
8 training shall be provided annually to all newly hired staff deemed
9 appropriate to receive the training by the school principal.

10 E. Each district shall inform the students' parents or legal
11 guardians of the school district's dating violence policy. If
12 requested, the district shall provide the parents or legal guardians
13 with the school district's dating violence policy and relevant
14 information. It is strongly recommended that the district provide
15 parent awareness training.

16 F. This section does not prevent a victim from seeking redress
17 under any other available law, either civil or criminal. This
18 section does not create or alter any tort liability.

19 SECTION 3. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 24-100.9 of Title 70, unless
21 there is created a duplication in numbering, reads as follows:

22 A. Each school district shall incorporate dating violence
23 education that is age-appropriate into the annual health curriculum
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1 framework for students in grades seven (7) through twelve (12),
2 provided:

3 1. Dating violence education shall include, but not be limited
4 to, defining dating violence, recognizing dating violence warning
5 signs and characteristics of healthy relationships. Additionally,
6 students shall be provided with the school district's dating
7 violence policy as provided in Section 2 of this act; and

8 2. To assist school districts in developing a dating violence
9 education program, the State Department of Education shall review
10 and approve the grade level topics relating to dating violence and
11 healthy relationships in the state curricular standards, known as
12 the Priority Academic Student Skills.

13 B. Upon written request to the school principal, a parent or
14 legal guardian of a student less than eighteen (18) years of age,
15 within a reasonable period of time after the request is made, shall
16 be permitted to examine the dating violence education program
17 instruction materials at the school in which his or her child is
18 enrolled.

19 SECTION 4. This act shall become effective November 1, 2009.

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