

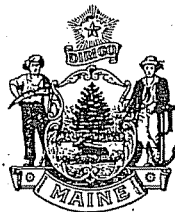
# MAINE STATE LEGISLATURE

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# 124th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2009

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Legislative Document

No. 1105

H.P. 760

House of Representatives, March 20, 2009

### **An Act To Establish a Model Dating Violence Prevention Policy**

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Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative WAGNER of Lyman.  
Cosponsored by Senator ALFOND of Cumberland and  
Representatives: BERRY of Bowdoinham, CASAVANT of Biddeford, Speaker PINGREE of  
North Haven, RANKIN of Hiram, WAGNER of Lewiston.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 20-A MRSA §6554** is enacted to read:

3 **§6554. Dating violence**

4 **1. Definitions.** As used in this section, unless the context otherwise indicates, the  
5 following terms have the following meanings.

6 A. "At-school" means occurring in a classroom, on or immediately adjacent to  
7 school premises, on a school bus or other school-related vehicle, at an official school  
8 bus stop or at any school-sponsored activity or event regardless of whether the  
9 activity or event is on school premises.

10 B. "Dating partner" means a person, regardless of gender, who is involved in an  
11 intimate relationship with another person and the relationship is primarily  
12 characterized by the expectation of affectionate involvement whether casual, serious  
13 or long-term.

14 C. "Dating violence" means an act or pattern of behavior when a person threatens to  
15 use or actually uses physical, sexual, verbal or emotional abuse to control the person's  
16 dating partner.

17 **2. Dating violence policy.** The department shall implement a model dating violence  
18 policy to assist a school administrative unit in developing a policy for dating violence and  
19 response by February 1, 2010. A school administrative unit shall implement a dating  
20 violence policy consistent with the model dating violence policy required by this  
21 subsection by September 1, 2010. A dating violence policy under this subsection must  
22 include:

23 A. A statement that dating violence will not be tolerated;

24 B. Dating violence reporting procedures; and

25 C. Guidelines for responding to at-school incidents of dating violence and discipline  
26 procedures for specific incidents.

27 **3. Notice.** A school administrative unit shall publish a dating violence policy  
28 implemented under subsection 2 and include the policy in any handbook or publication  
29 that sets forth rules, procedures or standards of conduct for students of the unit. A school  
30 administrative unit shall inform each parent and legal guardian of a 7th to 12th grade  
31 student of the unit's dating violence policy implemented under subsection 2 and provide a  
32 copy of the policy to a parent or legal guardian of the student of the unit upon request of  
33 the parent or guardian.

34 **4. Training.** A school administrative unit shall provide dating violence training to  
35 each administrator, teacher, nurse and physician of the school administrative unit who has  
36 contact with a 7th to 12th grade student and may provide dating violence training to other  
37 school personnel or dating violence parent awareness training to a parent or legal  
38 guardian of a 7th to 12th grade student. Dating violence training must ensure that

1 training participants are trained to appropriately respond to at-school incidents of dating  
2 violence and must include:

3 A. Basic principles of dating violence;

4 B. Warning signs of dating violence; and

5 C. The school administrative unit's dating violence policy under subsection 2.

6 **5. Dating violence education.** A school administrative unit shall incorporate dating  
7 violence education that is age-appropriate for health and physical education under  
8 sections 4711 and 4723 for grades 7 to 12. The department shall develop guidelines for  
9 the curriculum of dating violence education required under this subsection, including:

10 A. Defining dating violence;

11 B. Recognizing dating violence warning signs;

12 C. Appropriate actions and responses to dating violence; and

13 D. Characteristics of a healthy relationship.

14 Each student receiving dating violence education under this subsection must receive a  
15 copy of the school administrative unit's dating violence policy under subsection 2. A  
16 parent or legal guardian of a 7th to 12th grade student under 18 years of age or a student  
17 18 years of age or older may inspect the dating violence curriculum at the school in which  
18 the student is enrolled.

19 **6. Liability.** This section does not create or alter any tort liability and does not  
20 prevent a victim of dating violence to seek redress under any other law either civil or  
21 criminal.

22 **7. Rules.** The department may adopt rules to carry out the purposes of this section.  
23 Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5,  
24 chapter 375, subchapter 2-A.

25 **SUMMARY**

26 This bill requires school administrative units, with the help of the Department of  
27 Education's model dating violence policy, to implement dating violence policies and  
28 provide dating violence training to school personnel and dating violence education to  
29 students from the 7th to the 12th grade. This bill also requires school administrative units  
30 to provide a copy of the unit's dating violence policy to school personnel and 7th to 12th  
31 grade students and to send notice of the policy to parents and legal guardians of 7th to  
32 12th grade students and a copy of the policy upon request.