

By: Representative Hines

To: Education

HOUSE BILL NO. 69

1 AN ACT TO REQUIRE SCHOOL DISTRICTS TO ADOPT A DATING VIOLENCE  
 2 POLICY AND TO INCORPORATE INSTRUCTION ON THE POLICY AND ON HEALTHY  
 3 RELATIONSHIPS IN MANDATORY COURSES; TO REQUIRE THE STATE BOARD OF  
 4 EDUCATION TO ADOPT A MODEL DATING VIOLENCE POLICY THAT MAY BE USED  
 5 BY THE VARIOUS SCHOOL BOARDS IN DEVELOPING THEIR POLICIES; TO  
 6 REQUIRE EACH SCHOOL DISTRICT TO INCLUDE THE DATING VIOLENCE POLICY  
 7 IN THE DISTRICT'S CODE OF STUDENT CONDUCT; TO AMEND SECTION  
 8 37-11-55, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE  
 9 PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

11 **SECTION 1.** (1) The Legislature finds and declares that all  
 12 students have a right to work and study in a safe, supportive  
 13 environment that is free from harassment, intimidation and  
 14 violence. The Legislature further finds that when a student is a  
 15 victim of dating violence, his or her performance in school and  
 16 individual safety suffer. Therefore, in an effort to reduce the  
 17 occurrence of dating violence among students in our state, the  
 18 Legislature declares that the school board of each school district  
 19 must adopt a policy to create a better understanding and awareness  
 20 of dating violence.



21           (2) For purposes of this section, the following words and  
22 phrases have the meanings ascribed in this subsection unless the  
23 context clearly indicates otherwise:

24           (a) "Dating relationship" means a social relationship  
25 of a romantic or intimate nature between two (2) individuals,  
26 regardless of gender.

27           (b) "Dating violence" means a pattern of behavior where  
28 one (1) person intentionally threatens or actually uses physical,  
29 sexual, verbal or emotional abuse to harm, intimidate or control  
30 another person with whom that person has a dating relationship.

31           (3) Before July 1, 2018, the State Board of Education shall  
32 develop and adopt a model dating violence policy to assist school  
33 districts in developing policies on dating violence. The model  
34 policy must include, at a minimum, provisions addressing the  
35 following:

36           (a) A definition of dating violence;

37           (b) A statement that dating violence will not be  
38 tolerated;

39           (c) Safety planning for victims of dating violence,  
40 protection orders and alternatives;

41           (d) Procedures for reporting, investigating and  
42 addressing dating violence, including procedures for making  
43 referrals to local or community resources for appropriate  
44 counseling for affected students;



45 (e) Required training for teachers, administrators and  
46 other appropriate staff on the policy and on healthy  
47 relationships; and

48 (f) Outreach education for students and parents on the  
49 dating violence policy.

50 (4) Before October 1, 2018, the school board of each school  
51 district shall develop and adopt a specific dating violence policy  
52 that comports with the model policy adopted by the State Board of  
53 Education. Within thirty (30) days of the adoption of a policy,  
54 the school board shall provide a copy of the dating violence  
55 policy adopted in that district to the State Department of  
56 Education, Division of Safe and Healthy Schools.

57 (5) In order to ensure that proper notice of the school  
58 district's dating violence policy is provided to students and  
59 their parents, the school district must distribute and publish a  
60 copy of the policy in the school district's personnel policies,  
61 discipline policies and code of student conduct.

62 (6) In addition to education on the dating violence policy,  
63 each school district shall incorporate teaching on healthy  
64 relationships which is age-appropriate into curriculum instruction  
65 for kindergarten through Grade 12 using resources approved and  
66 provided by the State Department of Education. The topic of  
67 violence prevention must be taught in either the comprehensive  
68 health course or family and individual health course or in any  
69 successor course that is required for graduation from high school.



70 Healthy relationship education must include, but need not be  
71 limited to, identifying characteristics of healthy dating  
72 relationships, defining dating violence and recognizing dating  
73 violence warning signs.

74 **SECTION 2.** Section 37-11-55, Mississippi Code of 1972, is  
75 amended as follows:

76 37-11-55. The local school board shall adopt and make  
77 available to all teachers, school personnel, students and parents  
78 or guardians, at the beginning of each school year, a code of  
79 student conduct developed in consultation with teachers, school  
80 personnel, students and parents or guardians. The code shall be  
81 based on the rules governing student conduct and discipline  
82 adopted by the school board and shall be made available at the  
83 school level in the student handbook or similar publication. The  
84 code shall include, but not be limited to:

85 (a) Specific grounds for disciplinary action under the  
86 school district's discipline plan;

87 (b) Procedures to be followed for acts requiring  
88 discipline, including suspensions and expulsion, which comply with  
89 due process requirements;

90 (c) An explanation of the responsibilities and rights  
91 of students with regard to: attendance; respect for persons and  
92 property; knowledge and observation of rules of conduct; free  
93 speech and student publications; assembly; privacy; and  
94 participation in school programs and activities;



95           (d) Policies and procedures recognizing the teacher as  
96 the authority in classroom matters, and supporting that teacher in  
97 any decision in compliance with the written discipline code of  
98 conduct. Such recognition shall include the right of the teacher  
99 to remove from the classroom any student who, in the professional  
100 judgment of the teacher, is disrupting the learning environment,  
101 to the office of the principal or assistant principal. The  
102 principal or assistant principal shall determine the proper  
103 placement for the student, who may not be returned to the  
104 classroom until a conference of some kind has been held with the  
105 parent, guardian or custodian during which the disrupting behavior  
106 is discussed and agreements are reached that no further disruption  
107 will be tolerated. If the principal does not approve of the  
108 determination of the teacher to remove the student from the  
109 classroom, the student may not be removed from the classroom, and  
110 the principal, upon request from the teacher, must provide  
111 justification for his disapproval;

112           (e) Policies and procedures for dealing with a student  
113 who causes a disruption in the classroom, on school property or  
114 vehicles, or at school-related activities;

115           (f) Procedures for the development of behavior  
116 modification plans by the school principal, reporting teacher and  
117 student's parent for a student who causes a disruption in the  
118 classroom, on school property or vehicles, or at school-related  
119 activities for a second time during the school year; \* \* \*



120 (g) Policies and procedures specifically concerning  
121 gang-related activities in the school, on school property or  
122 vehicles, or at school-related activities \* \* \*; and

123 (h) The school district's policy on dating violence, as  
124 required under Section 1 of House Bill No. 69 , 2018 Regular  
125 Session.

126 **SECTION 3.** This act shall take effect and be in force from  
127 and after its passage.

