**South Carolina General Assembly**

118th Session, 2009-2010

**H. 3543**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Brady, Mitchell, Erickson and Knight

Document Path: l:\council\bills\nbd\11276bh09.docx

Companion/Similar bill(s): 266, 3202

Introduced in the House on February 17, 2009

Introduced in the Senate on January 21, 2010

Last Amended on May 14, 2009

Currently residing in the Senate Committee on **Education**

Summary: Dating violence

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/17/2009 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2009\02-17-09.docx)‑5

2/17/2009 House Referred to Committee on **Education and Public Works** [HJ](file:///h:\HJ%20Archive\2009\02-17-09.docx)‑6

4/23/2009 House Member(s) request name added as sponsor: Mitchell

4/28/2009 House Committee report: Favorable with amendment **Education and Public Works** [HJ](file:///h:\HJ%20Archive\2009\04-28-09.docx)‑4

4/29/2009 Scrivener's error corrected

4/30/2009 House Debate adjourned until Tuesday, May 12, 2009 [HJ](file:///h:\HJ%20Archive\2009\04-30-09.docx)‑31

5/12/2009 House Debate adjourned until Wednesday, May 13, 2009 [HJ](file:///h:\HJ%20Archive\2009\05-12-09.docx)‑28

5/13/2009 House Member(s) request name added as sponsor: Erickson

5/13/2009 House Amended [HJ](file:///h:\HJ%20Archive\2009\05-13-09.docx)‑15

5/13/2009 House Requests for debate‑Rep(s). Bedingfield, Kennedy, King, Whipper, Brantley, and Rutherford [HJ](file:///h:\HJ%20Archive\2009\05-13-09.docx)‑15

5/14/2009 House Amended [HJ](file:///h:\HJ%20Archive\2009\05-14-09.docx)‑77

5/14/2009 House Read second time [HJ](file:///h:\HJ%20Archive\2009\05-14-09.docx)‑81

5/14/2009 House Roll call Yeas‑81 Nays‑0 [HJ](file:///h:\HJ%20Archive\2009\05-14-09.docx)‑81

5/19/2009 House Debate adjourned until Wednesday, May 20, 2009 [HJ](file:///h:\HJ%20Archive\2009\05-19-09.docx)‑47

5/20/2009 House Debate adjourned until Thursday, May 21, 2009 [HJ](file:///h:\HJ%20Archive\2009\05-20-09.docx)‑54

5/21/2009 House Debate adjourned [HJ](file:///h:\HJ%20Archive\2009\05-21-09.docx)‑37

5/21/2009 House Debate interrupted [HJ](file:///h:\HJ%20Archive\2009\05-21-09.docx)‑72

1/13/2010 House Debate adjourned until Wednesday, January 20, 2010 [HJ](file:///h:\HJ%20Archive\2010\01-13-10.docx)‑30

1/14/2010 House Member(s) request name added as sponsor: Knight

1/20/2010 House Read third time and sent to Senate [HJ](file:///h:\HJ%20Archive\2010\01-20-10.docx)‑17

1/21/2010 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2010\01-21-10.docx)‑11

1/21/2010 Senate Referred to Committee on **Education** [SJ](file:///h:\SJ%20Archive\2010\01-21-10.docx)‑11

**VERSIONS OF THIS BILL**

[2/17/2009](file:///p:\pprever\2009-10\3543_20090217.docx)

[4/28/2009](file:///p:\pprever\2009-10\3543_20090428.docx)

[4/29/2009](file:///p:\pprever\2009-10\3543_20090429.docx)

[5/13/2009](file:///p:\pprever\2009-10\3543_20090513.docx)

[5/14/2009](file:///p:\pprever\2009-10\3543_20090514.docx)

AMENDED

May 14, 2009

**H. 3543**

Introduced by Reps. Brady, Mitchell and Erickson

S. Printed 5/14/09--H.

Read the first time February 17, 2009.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑1‑490 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 PROVIDE REPORTING AND PUBLICATION REQUIREMENTS, AND TO REQUIRE SCHOOL DISTRICTS TO INFORM PARENTS AND GUARDIANS OF THE POLICY AND TO PROVIDE PARENTS WITH A COPY OF THE POLICY UPON REQUEST.

Amend Title To Conform

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

SECTION 1. 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. 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 six through twelve must be present in each school district.

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

“Section 59‑1‑490. (A) As used in this section:

(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 heterosexual 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, 2009, 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 six 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 2010‑2011 school year, each school district shall establish a specific prevention policy to address incidents of dating violence involving students in grades six 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. This section does not create or alter any tort liability.

(F) The provisions of subsections (B), (C), and (D) of this section are subject to the availability of funds for the purposes provided in those subsections.”

SECTION 3. This act takes effect upon approval by the Governor.

‑‑‑‑XX‑‑‑‑