

Senate Bill 46

By: Senators Butler of the 55th, Seay of the 34th, Orrock of the 36th, James of the 35th, Sims of the 12th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
2 relating to the "Quality Basic Education Act," so as to provide for a curriculum relating to
3 dating violence; to require the adoption of a policy against dating violence; to provide for
4 related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the
8 "Quality Basic Education Act," is amended by revising Code Section 20-2-143, relating to
9 sex education and AIDS prevention instruction, implementation, and student exemption, as
10 follows:

11 "20-2-143.

12 (a) Each local board of education shall prescribe a course of study in sex education and
13 AIDS prevention instruction for such grades and grade levels in the public school system
14 as shall be determined by the State Board of Education. Such course of study shall
15 implement either the minimum course of study provided for in subsection (b) of this Code
16 section or its equivalent, as approved by the State Board of Education. Each local board
17 of education shall be authorized to supplement and develop the exact approach of content
18 areas of such minimum course of study with such specific curriculum standards as it may
19 deem appropriate. Such standards shall include instruction relating to the handling of peer
20 pressure, the promotion of high self-esteem, local community values, the legal
21 consequences of parenthood, and abstinence from sexual activity as an effective method
22 of prevention of pregnancy, sexually transmitted diseases, and acquired immune deficiency
23 syndrome. Not later than July 1, 2012, the sex education curriculum for students in grades
24 7 through 12 shall include a teen dating violence and abuse component that includes, but
25 is not limited to, the definition of dating violence and abuse, the warning signs of dating
26 violence and abusive behavior, the characteristics of healthy relationships, measures to

27 prevent and stop dating violence and abuse, and community resources available to victims
 28 of dating violence and abuse.

29 (b) The State Board of Education shall prescribe a minimum course of study in sex
 30 education and AIDS prevention instruction which may be included as a part of a course of
 31 study in comprehensive health education for such grades and grade levels in the public
 32 school system as shall be determined by the state board and shall establish standards for
 33 its administration. The course may include instruction concerning human biology,
 34 conception, pregnancy, birth, sexually transmitted diseases, and acquired immune
 35 deficiency syndrome. The course shall include instruction concerning the legal
 36 consequences of parenthood, including, without being limited to, the legal obligation of
 37 both parents to support a child and legal penalties or restrictions upon failure to support a
 38 child, including, without being limited to, the possible suspension or revocation of a
 39 parent's driver's license and occupational or professional licenses. A manual setting out the
 40 details of such course of study shall be prepared by or approved by the State School
 41 Superintendent in cooperation with the Department of Community Health, the State Board
 42 of Education, and such expert advisers as they may choose.

43 ~~(c) The minimum course of study to be prescribed by the State Board of Education~~
 44 ~~pursuant to subsection (b) of this Code section shall be ready for implementation not later~~
 45 ~~than July 1, 1988. Each local board shall implement either such minimum course of study~~
 46 ~~or its equivalent not later than July 1, 1989. Any local board of education which fails to~~
 47 ~~comply with this subsection Code section shall not be eligible to receive any state funding~~
 48 ~~under this article until such minimum course of study or its equivalent has been~~
 49 ~~implemented.~~

50 (d) Any parent or legal guardian of a child to whom the course of study set forth in this
 51 Code section is to be taught shall have the right to elect, in writing, that such child not
 52 receive such course of study."

53 **SECTION 2.**

54 Said article is further amended by revising Code Section 20-2-314, relating to the
 55 development of rape prevention, personal safety education, and teen dating violence
 56 prevention programs, as follows:

57 "20-2-314.

58 (a) The State Board of Education shall develop, with input from appropriate experts, such
 59 as rape crisis centers and family violence shelters, a rape prevention and personal safety
 60 education program and a program for preventing teen dating violence for grade eight
 61 through grade 12 which are consistent with the core curriculum provided for in Code
 62 Section 20-2-140. Local boards may implement such programs at any time and for any

63 grade level local boards find appropriate, and the state board shall encourage the
64 implementation of such programs. In addition, the state board shall make information
65 regarding such programs available to the Board of Regents of the University System of
66 Georgia.

67 (b) By July 1, 2012, each local board of education shall adopt and implement a dating
68 violence and abuse policy. The policy shall:

69 (1) Prohibit dating violence and abuse by any student on school property, during a
70 school-sponsored activity, or during school-sponsored transportation;

71 (2) Provide procedures for responding to such incidents of dating violence or abuse,
72 including accommodations for students experiencing dating violence or abuse;

73 (3) Define dating violence and abuse and provide for a teen dating violence and abuse
74 component in the health education curriculum, according to Code Section 20-2-143, with
75 emphasis on prevention education; and

76 (4) Be implemented in a manner that is integrated with a school district's discipline
77 policies.

78 Each local board of education shall provide training for teachers, staff, and school
79 administrators to implement this Code section.

80 (c) By January 1, 2012, the Department of Education shall develop a model policy to serve
81 as a guide for local boards of education in the development of the dating violence and
82 abuse policy described in subsection (b) of this Code section."

83 **SECTION 3.**

84 All laws and parts of laws in conflict with this Act are repealed.