

PENNSYLVANIA STATE BOARD OF EDUCATION

THE BENEFITS AND DETRIMENTS OF MANDATING DATING VIOLENCE EDUCATION IN THE PUBLIC SCHOOLS OF THE COMMONWEALTH

FINDINGS AND RECOMMENDATIONS

CONDUCTED PURSUANT TO ACT 104 OF 2010

January 2014

**Commonwealth of Pennsylvania
State Board of Education**

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Acknowledgement

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I. Act 104 of 2010 & the Ad Hoc Committee on Mandatory Dating Violence Education

In November 2010, the Pennsylvania General Assembly added new provisions to the Public School Code addressing dating violence through omnibus amendments in Act 104. The changes enacted by the General Assembly included language that allows the Pennsylvania Department of Education's (PDE) Office of Safe Schools to make targeted grants to fund programs that address school violence, including dating violence curricula; a requirement that PDE provide school districts with grade-appropriate educational materials regarding dating violence and healthy relationships to assist districts in preparing instructional programs on dating violence; a requirement that PDE develop a model dating violence policy; language permitting school districts to establish local policies to address dating violence involving students at school; and language allowing districts to provide dating violence training to guidance counselors, nurses, mental health staff, other school staff and parents.

Act 104 also allowed school districts to incorporate age-appropriate dating violence education into their health curriculum for students in grades 9-12. A district that elects to provide such instruction must consult with at least one local domestic violence or rape crisis program. Per Act 104, such instruction may include, but is not limited to:

- Defining dating violence and recognizing dating violence warning signs
- Characteristics of healthy relationships
- Information regarding peer support and the role friends and peers have in addressing dating violence
- Contact information for and information about the services and resources available through domestic violence centers and rape crisis centers, including detailed information concerning safety planning, availability and enforcement of protection from abuse orders, and the availability of other services and assistance for students and their families

Act 104 also permitted parents and guardians to review dating violence instructional materials and to opt their student out of such instruction.

While the changes enacted to the School Code in 2010 permitted dating violence education as a component of curriculum in grades 9-12, the General Assembly did not mandate that districts provide such instruction. Rather, in Act 104, the General Assembly charged the State Board of Education to conduct a study of the benefits and detriments of mandatory dating violence education and to submit a report of its recommendations to the Chairman and Minority Chairman of the Education Committee of the Senate and the Chairman and Minority Chairman of the Education Committee of the House of Representatives.

To execute this statutory assignment, the State Board appointed an Ad Hoc Committee to explore the benefits and detriments of mandating dating violence education in the public schools of the Commonwealth. The Committee held its first public meeting on September 11,

2013. At that meeting, the Committee reviewed other state policies on dating violence education, discussed commissioning research on the benefits and detriments of such instruction to inform the Committee's deliberations, and discussed soliciting input from interested stakeholders. An opportunity for public comment also was made available at the meeting.

Subsequent to that meeting, the State Board posted notice on its public website and sent electronic notice to its stakeholders list that the Committee would accept materials related to the benefits and detriments of mandatory dating violence education from members of the public through October 23, 2013.

With the support of the full State Board, the Committee also engaged the services of Dr. Teresa G. Wojcik, Assistant Professor in the Department of Education and Counseling at Villanova University, to provide research for the Committee on the benefits and detriments of mandatory dating violence education and to prepare a summation of public comments submitted to the Committee. To supplement her review of the existing literature on dating violence education and its benefits and detriments, Dr. Wojcik conducted an online survey of practitioners and students in the field of education. She also solicited informal feedback from colleagues and other professionals in the field of counseling.

On December 12, 2013, the Committee held a public meeting to review Dr. Wojcik's research and to discuss potential recommendations.

The balance of this study contains Dr. Wojcik's work to inform the Committee and to facilitate the Committee's deliberations, along with a recommendation from the State Board for consideration by the General Assembly.

II. Introduction and Organization of the Report

Violence among teens in dating relationships is a sensitive and complex issue. Over the past two decades, school agencies and state legislatures have deliberated concerning the role that schools should play in addressing this issue. Dating violence occurs both on and beyond school campuses. Even when dating violence does not take place on school grounds, as social institutions, schools experience its devastating effects. The study reported here was undertaken with the goal of informing the Ad Hoc Committee on Mandatory Dating Violence Education and facilitating the Committee's decision on recommendations to be made to the Chairmen and Minority Chairmen of the Education Committees of the Senate and House of Representatives in the Commonwealth of Pennsylvania.

The objectives of the study were two-fold:

- (1) Review and synthesize literature assessing the pro and con arguments concerning mandatory dating violence education programs;
- (2) Review and summarize information related to mandatory dating violence education submitted to the State Board of Education by interested parties.

The report is organized into eight parts. Following this introduction, section III provides background and contextual information on the landscape of legislative action concerning dating violence education at the national level. Section IV focuses on the current status of instructional content related to relationship violence in Pennsylvania. Next, section V of the report provides a summary of the responses received by the Ad Hoc Committee following its solicitation of public comment. Sections VI and VII provide a synthesis of the benefits and detriments associated with mandating education on dating violence in public schools. Section VIII offers four courses of action in the decision-making process concerning this issue. Lastly, Section IX contains the State Board’s recommendation for consideration by the General Assembly.

III. Background Information: National Context

Since 2003, thirty-five states have *proposed* legislation that either requires or endorses some form of dating violence education. As indicated in Table 1, fifteen states currently *mandate* instruction in dating violence education, while nine states *endorse* or permit such instruction without mandating it.

While the components of the mandates differ among the states, they typically require or endorse one or more of the following:

- Including age-appropriate dating violence prevention **education** for students in grades 7 through 12
- Adding instruction regarding dating violence to existing **health curricula**
- Assisting school districts by identifying or developing model dating violence **educational materials** or providing links to such materials on the website of the State Department of Education
- Revising school **policy** to state that teen dating violence is unacceptable and prohibited
- Establishing school **procedures** for responding to reports of teen dating violence that occur at school, school-sponsored activities, or on school-provided transportation
- Incorporating **training** in the prevention of dating violence into already-required in-service training for teachers and administrators
- Requiring **training** for all school staff
- Developing a model dating violence **policy** to assist school districts with developing and adopting their own policies
- **Notifying** parents and students of the teen dating violence policy adopted by the district

Of the thirty-five states which have proposed legislation regarding dating violence education, eight states have failed to pass legislation on this topic and three states have legislation pending. Fifteen have not acted on this issue.

Table 1. Status of Current Dating Violence Mandates across the United States

Mandates instruction in dating violence education	15 states	Colorado, Delaware (starting in 2015), Florida, Illinois, Louisiana, Maine, Massachusetts, Nebraska, New Jersey, Ohio, Oregon, Rhode Island, Texas, Virginia, Washington
Encourages or endorses dating violence education	9	Arizona, California, Connecticut, Georgia, Indiana, Maryland, New Hampshire, Pennsylvania ¹ , Tennessee
Legislation pending which would mandate it	2	New York, North Carolina
Legislation pending which would not mandate it	1	Missouri
Legislation requiring dating violence education proposed, but failed	8	Iowa, Kentucky, Kansas, Michigan, Montana, Oklahoma, South Carolina, Utah
Laws do not specifically provide for a school response to teen dating violence	15	Alabama, Alaska, Arkansas, Hawaii, Idaho, Minnesota, Mississippi, Nevada, New Mexico, North Dakota, South Dakota, Vermont, West Virginia, Wisconsin, Wyoming

Sources: National Conference of State Legislatures (<http://www.ncsl.org/issues-research/health/teen-dating-violence.aspx>) and the National Foundation for Women Legislators (http://www.womenlegislators.org/library/NFWL-LINA_TDV_State_Legislative_Chart_10-24-11.pdf)

IV. Background Information: Pennsylvania State Context

The Standards-Aligned System forms the basis for teaching and learning in schools within the Commonwealth of Pennsylvania. Figure 1 illustrates the six component parts of the Standards-Aligned System which work together to positively impact student achievement in the Commonwealth. Although specific reference to “dating violence” does not appear in the Standards-Aligned System, content related to this issue can be found in two of its components: 1) academic content standards; and 2) safe and supportive schools.

¹ Act 104 permits, but does not require, dating violence education or local district policies regarding it in Pennsylvania schools. However, it does require the state Department of Education to develop a model policy for dating violence reporting and response.

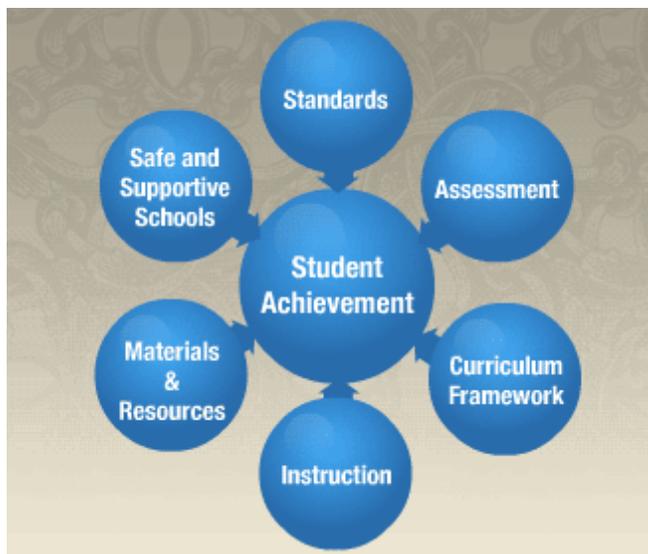


Figure 1. Standards-Aligned System

(1) Academic Content Standards

Published in July of 2002, the Academic Standards for Health, Safety and Physical Education identify the content that students should know and the skills that they should be able to demonstrate by the conclusion of third, sixth, ninth, and twelfth grade². The Health, Safety and Physical Education standards for Pennsylvania are organized into the following five categories:

- 10.1 Concepts of Health*
- 10.2 Healthful Living
- 10.3 Safety and Injury Prevention*
- 10.4 Physical Activity
- 10.5 Concepts, Principles and Strategies of Movement

Two of these Health standards contain content related to safe and healthy relationships (*). First, the ninth grade “Concepts of Health” standard (standard 10.1.9.A.) expects students to be able to: “Analyze factors that impact growth and development between adolescence and adulthood:

- Relationships (e.g. **dating**, friendships, peer pressure)
- Interpersonal communication
- Risk factors (e.g. physical inactivity, substance abuse, intentional/unintentional injuries, dietary patterns)
- Abstinence
- STD and HIV prevention
- Community”

² 22 Pa. Code, Chapter 4, Appendix D (#006-276)

Second, the ninth grade “Safety and Injury Prevention” standard (standard 10.3.9.C) expects students to be able to: “Analyze and apply strategies to avoid or manage conflict and **violence** during adolescence:

- Effective negotiation
- Assertive behavior.”

(2) Safe and Supportive Schools

In April of 2012, the Pennsylvania Department of Education (PDE) introduced the “Safe and Supportive Schools” component into the Standards-Aligned System. This component emphasizes that safe and supportive learning environments are critical to the achievement of students’ academic success. It also identifies the ways in which school engagement, safety, and environment should contribute to a positive learning experience for students. In its online portal, PDE defines these three areas in the following manner:

- **Engagement:** School engagement is essential towards building academic success and a positive school climate. Engagement in school is a process of events and opportunities that lead to students gaining the skills and confidence to cope and feel safe in the school environment. These events and opportunities include **relationships**, respect for diversity and school participation.
- **Safety:** School safety refers to the security of the school setting and school-related activities as perceived and experienced by all stakeholders, including families, caregivers, students, school staff, and the community. School safety encompasses both **emotional and physical safety**, and is influenced by positive and negative behaviors of students and staff as well as the presence of substance use in the school setting and during school-related activities.
- **Environment:** School environment refers to the extent to which school settings promote student safety and student health. Environment is inclusive of all aspects of a school – its academic components, **its physical and mental health supports and services**, its physical building and location within a community, and its disciplinary procedures³.

Standards for Student Interpersonal Skills were developed by PDE to assist school districts in identifying the “the skills students need to empower themselves and to successfully navigate the social world of family, school, college, and career connections not only in America but in the world of the 21st century and the global marketplace” (PDE, 2012, p. 3). The standards are organized into the following three categories:

16.1 Self-Awareness and Self-Management are skills to understand and manage behavior as a foundation for appropriate social interaction.

³ Pennsylvania Department of Education Standards-Aligned System online portal:
<http://www.pdesas.org/SafeSchools/Main/Standard/0/>

16.2 Establishing and Maintaining Relationships articulates skill components of healthy successful interactions with others.

16.3 Decision Making and Responsible Behavior addresses the knowledge and skills for making intelligent decisions, accepting the consequences of the choice, and engaging in positive social behavior.

Although these standards do not specifically address dating violence, they include communication, coping, and conflict resolution skills which might be deemed appropriate to instruction in dating violence prevention.

V. Review of Responses to the Solicitation of Public Comment

The Ad Hoc Committee on Dating Violence Education of the Pennsylvania State Board of Education received comments and information from the four individuals or organizations listed below. This section reviews and summarizes these submissions.

- a) Pennsylvania Coalition Against Domestic Violence
- b) Pennsylvania Coalition Against Rape
- c) Pennsylvania School Boards Association
- d) Professor Alan Lesgold, Dean of School of Education, University of Pittsburgh

a) Pennsylvania Coalition Against Domestic Violence

On behalf of the Pennsylvania Coalition Against Domestic Violence (PCADV), Jill Swiontek, Esq. submitted a 13-page commentary in support of the organization's recommendation to mandate inclusion of dating violence education in the health curriculum for students in grades 7 through 12. She offered the following reasons in support of the mandate:

- Dating violence education is an essential part of adolescents' health and wellness education;
- Educating about dating violence will lead to better student outcomes and safer school environments;
- Dating violence education is effective;
- Schools are exactly the right venue to be delivering this education.

The PCADV asserts that teen dating violence is a problem of magnitude equal to that of bullying and sexual harassment, both of which have been addressed with mandates. Schools should likewise be required to respond to dating violence in a similar manner. In its comments, the PCADV describes the dangers of dating violence, including its impact on adolescent health and school performance and its connection to other unhealthy behaviors such as substance abuse, risky sexual behavior, and suicide ideation. The Appendix of the document cites several teenage girls who lost their lives due to dating violence.

According to the PCADV, schools are the most appropriate place to address dating violence. Since teens spend so much time in schools, these institutions have the potential to reach the greatest number of young people and impact them. Additionally, many incidents of dating violence occur in school. Citing research and program evaluations, the PCADV asserts that

dating violence prevention programs have a record of effectiveness in reducing physical dating violence, empowering students to recognize signs of an abusive relationship, and increasing their knowledge of where to turn for help.

The PCADV argues for schools to adopt a comprehensive approach to dating violence education, which would include a policy for responding to incidents of dating violence as well as a curriculum for developing the skills and knowledge to nurture healthy relationships. In addition to mandating the inclusion of dating violence education in the school health curriculum, the PCADV proposes that school districts be required to consult with a local domestic violence program to develop a comprehensive dating violence education curriculum. Moreover, the organization recommends that school personnel be trained by the local domestic violence program on issues of dating violence to be better equipped to assist students who are victims.

The comments submitted to the Ad Hoc Committee by PCADV describe the organization's pilot prevention projects as well as several established curricula related to dating violence prevention (e.g. *Expect Respect*, *Respect Works*, and *Fourth R*). Details regarding the scope and effectiveness of each program are provided, along with each program's website.

b) Pennsylvania Coalition Against Rape

The Pennsylvania Coalition Against Rape submitted links to two online resources and two online references with no any additional commentary. A summary of each resource is provided below:

(1) Dating Matters™ Initiative

<http://www.cdc.gov/ViolencePrevention/DatingMatters/index.html>

A collaborative undertaking of the Centers for Disease Control and Liz Claiborne Inc., the *Dating Matters Initiative* is a new teen dating violence prevention program. The website for this initiative includes information about both the student program (called "*Dating Matters™: Strategies to Promote Healthy Teen Relationships*") and the program for educators and other adults who work with teens (called "*Dating Matters™: Understanding Teen Dating Violence Prevention*".)

The *Dating Matters™* student program focuses on 11- to 14-year-olds in high-risk, urban communities, but uses a comprehensive approach that includes individuals, peers, families, schools, and neighborhoods. From 2011-2015, *Dating Matters™* is being piloted in middle schools and neighborhoods in the following four urban areas: Baltimore, MD; Chicago, IL; Ft. Lauderdale, FL; and Oakland, CA. According to a flyer for the program, during this phase of implementation, the Centers for Disease Control will examine the cost, feasibility, sustainability, and effectiveness of the program. It is anticipated that after this demonstration phase, the *Dating Matters™* program materials will be publicly available and free of charge.

The *Dating Matters*™ educator program provides online training through a 60-minute interactive program designed to teach adults how to identify the risk factors and warning signs associated with teen dating violence. This training program is currently available online for free at: <http://vetoviolenace.cdc.gov/datingmatters/>.

(2) Centers for Disease Control

http://www.cdc.gov/violenceprevention/intimatepartnerviolence/teen_dating_violence.html

Teen dating violence is a “featured topic” on the “Intimate Partner Violence” page of the Centers for Disease Control (CDC) website. This featured topic redirects to its own website which defines teen dating violence, identifies its consequences, discusses why teen dating violence occurs, and lists risk factors related to it. Also included on this website is a dating violence fact sheet, statistical information, links to additional CDC and federal resources, hotlines, and links to the homepages of additional resource centers.

(3) Nation, M., Crusto, C., Wandersman, A., Kumpfer, K. L., Seybolt, D., Morrissey-Kane, E., & Davino, K. (2003). What works in prevention: Principles of Effective Prevention Programs. *American Psychologist*, 58, 449-456.

Prepared for the Centers for Disease Control and Prevention, Division of Violence Prevention

This 13-page document is an outline and summary of a research article written by scholars in the Department of Human and Organizational Development at Vanderbilt University and published in the journal *American Psychologist*. The authors reviewed existing research on effective interventions and identified the following 9 characteristics that were consistently associated with effective prevention programs:

- (1) programs were comprehensive;
- (2) included varied teaching methods;
- (3) provided sufficient dosage;
- (4) were theory driven;
- (5) provided opportunities for positive relationships;
- (6) were appropriately timed;
- (7) were socio-culturally relevant;
- (8) included outcome evaluation; and
- (9) involved well-trained staff.

For each of the aforementioned characteristics, the document provides a definition, list of important points, and action checklist to guide those who are developing or reviewing prevention programs. At the end of the publication, the authors provide a two-page review of the individual and environmental factors that influence behavior. This overview identifies principles and concepts related to behavioral change and learning theory such as information processing theory, social learning theory, and organizational change stage theory.

(4) Peace Over Violence. (2008). *A guide to addressing teen dating and sexual violence in a school setting*. Los Angeles, CA: Peace Over Violence. Retrieved from http://peaceoverviolence.org/media/downloadables/ca_tdv_a_guide_to_addressing_teen_dating_violence_adaoe.pdf

Published in 2008, this guide asserts that since teen relationships affect the school environment, “it is incumbent on schools to do all within their power to protect students and enhance their chances for academic success” (p. 4). The document was prepared by Peace Over Violence (formerly the Los Angeles Commission on Assaults Against Women) with assistance from the California Women’s Law Center. The guide begins with a brief overview of California schools’ legal obligations under federal and state law to provide a safe environment for learning and respond to complaints of teen dating and sexual violence. In order to assist schools in successfully meeting these expectations, this 22-page document recommends a comprehensive school-wide plan to prevent and respond to teen dating and sexual violence that includes the following components:

- School policy and accompanying protocol for responding to reports of teen dating violence
- Access to supportive services for the victims, perpetrators, and witnesses of dating violence
- Violence prevention education for students
- Faculty and staff training

The Appendix of the guide includes information on relevant federal and California state laws, sample school policies and protocols, and a list of six suggested curricula.

c) *Pennsylvania School Boards Association*

The Pennsylvania School Boards Association (PSBA) submitted comments expressly indicating that it did not support a mandate on dating violence education, but rather urged the State Board to “recommend the continuance of the current provisions of Act 104.” The PSBA offered the following three considerations in support of its assertion:

- (1) Existing state Academic Standards for Health, Safety, and Physical Education already include issues related to dating violence such as self-protection, violence prevention, and conflict resolution, thus making a separate, new requirement for dating violence instruction unnecessary.
- (2) Existing laws and regulations (e.g. Article XIII-A of the Public School Code, Domestic Relations Code, and Title IX at the federal level) already require that school districts have policies and disciplinary procedures in place for identifying and reporting threats related to dating violence such as bullying, sexual harassment, and violence. Additional requirements are unwarranted.
- (3) Additional mandates have the potential to increase the liability of public schools by creating a legal standard of care and could also place additional burdens on the resources of these entities.

The PSBA highlights the plethora of demands currently facing Pennsylvania public schools: “...school districts are focusing their time and resources to increase academic achievement

under the new PA Core Standards, related Keystone Exams, and graduation requirements” and are in need of “meaningful mandate relief.” The PSBA maintains that the current provisions of Act 104 appropriately provide local school districts with the options to decide for their communities how best to address this issue. Additionally, the state’s Academic Standards for Health, Safety, and Physical Education offer the framework according to which school districts are authorized to align their curricula and policies.

d) School of Education, University of Pittsburgh

Dr. Alan Lesgold is a professor of psychology and intelligent systems and dean of the School of Education at the University of Pittsburgh. Dr. Lesgold’s comments express support for teaching students how to handle their emotions, protect themselves, and engage in pro-social behaviors. However, Dr. Lesgold asserts that dating violence is only one of many relevant issues facing young people today (e.g., bullying). He communicates concern about “accumulating mandates that are too specific, such as requiring some number of hours of instruction on the specific issue of date violence.” At the same time, Dr. Lesgold believes that “it is appropriate to ask programs being reviewed to demonstrate that their teaching effectively addresses date violence, bullying, and other threats that many children and young adults face.” The comments submitted by Dean Lesgold raise the issue of how a mandate regarding dating violence education might affect higher education institutions that prepare future teachers. He favors *broad training* for pre-service teachers in how to help foster in children the general skills of “self-protection and self-management”.

The following two sections identify the benefits and detriments of mandating dating violence education in public schools in the Commonwealth of Pennsylvania. These arguments are informed by: (1) the aforementioned resources submitted to the Ad Hoc Committee by interested parties; (2) a review of the literature assessing the pro and con arguments concerning mandatory dating violence education programs; and (3) a survey conducted by the author. Thirty-eight individuals from across the Commonwealth responded to a brief online survey and seven individuals shared their views via e-mail. These individuals represent the following groups of stakeholders: school and community counselors, teachers, school administrators, college professors preparing school counselors, parents, psychologists, undergraduate students majoring in education, and graduate students in education and counseling.

VI. Benefits of Mandating Dating Violence Education⁴

Prevention of a serious public health threat

Perhaps the greatest benefit of dating violence education is its potential to prevent future incidents of such violence. Care providers at Domestic Abuse Centers report being inundated with clients in need of help. Engaging schools as partners in educating young people

⁴ It should be noted that the benefits and detriments are listed in random order and sequencing should not be interpreted to indicate level of importance.

about dating violence is a form of early intervention which can assist in breaking the cycle of abuse that damages families and communities.

Prevention of related risky and unhealthy behaviors

Research has shown a correlation between teen dating violence and other dangerous or unhealthy behaviors (Children’s Safety Network, 2012). A guide published by the organization Peace Over Violence (2008) summarizes the connections well:

Experiencing such abuse can have devastating effects on academic achievement, campus safety, and positive development. The trauma of relationship and sexual violence can lead to depression, poor concentration, drug and alcohol abuse, suicidal tendencies, unhealthy weight management, and inappropriate sexual behavior. (p. 3)

Therefore, the positive effects of a mandate could be much greater than preventing only dating violence, but a series of other unhealthy behaviors as well.

Empowering students

Mandating instruction related to dating violence could provide students with the information, strategies, and support services needed to help them build and maintain healthy relationships with peers and adults. Many young people do not possess accurate expectations regarding which behaviors are “normal” or “okay” to tolerate or inflict on a dating partner. They also lack the strategies for how to deal with abusive situations in which they might find themselves. As one survey respondent indicated, “Students often do not have the language to define what a healthy vs. an unhealthy relationship is and by providing them with educational resources...they may feel more capable and confident in their ability to assess intimate, safe and healthy relationships in their own lives and the lives of others.” Dating violence education can provide students with the tools needed to make good choices not only in romantic relationships but in other social interactions as well.

Elevating importance of the issue and raising awareness

The Centers for Disease Control has identified dating violence as a serious problem in the United States. A study conducted by the CDC reported that “approximately 9% of high school students report being hit, slapped, or physically hurt on purpose by a boyfriend or girlfriend in the 12 months before surveyed”.⁵ By mandating instruction in dating violence education, the state elevates the importance of this issue and sends a powerful message to the public that dating violence is not an issue that can be ignored. One survey respondent explained this benefit in the following manner: “it [a mandate] identifies the gravity of dating violence rather than treating it as something that is expected and thus not worth talking about...[and] it refocuses the conversation in general to broaden the dialogue.” A mandate might raise public awareness about an issue that is very real for many teenagers.

⁵ Centers for Disease Control and Prevention. Youth risk behavior surveillance – United States, 2011. MMWR, Surveillance Summaries 2012; 61 (no. SS-4). Available from www.cdc.gov/mmwr/pdf/ss/ss6104.pdy

Helping victims

Raising awareness about dating violence might also positively impact those students currently in unhealthy relationships by providing them with the strategies and resources they need to remove themselves from those relationships. Survey respondents believed that female students in particular might feel empowered to speak out or stand up for themselves if they encounter an abusive situation. A publication of the Children's Safety Network (2012) indicates that "girls and young women ages 16 to 24 experience the highest rates of intimate partner violence [Noonan and Charles, 2009]" (p. 3). Training school personnel would strengthen the ability of counselors, teachers, and administrators to help students who might be experiencing or witnessing violent relationships.

VII. Detriments of Mandating Dating Violence Education

Financial cost

Costs associated with a mandate on dating violence education derive from a variety of sources, including but not limited to, training for school personnel, curriculum development, and costs related to printing policy revisions and sending notifications to students and parents. In 2012, the Oregon Legislative Fiscal Office received estimates from school districts regarding the fiscal impact of proposed dating violence legislation ranging from \$0 to \$18,000. The preliminary fiscal impact statement for a bill in Maine indicated that an act to establish a model dating violence prevention policy would require ongoing General Fund appropriations of \$30,000 in the fiscal year 2009-2010 and \$50,000 per year beginning in the fiscal year 2010-2011 for the costs associated with including dating violence education in the Maine Learning Results.

The costs associated with a mandate could also negatively impact existing programs and services as their funds could be redirected to support the teen dating violence prevention initiative. Currently-funded programs and services that could be affected include support services and shelters for survivors of domestic violence and sexual assault.

Time and expansion of school curriculum

Over the past century, the number of both academic and non-academic topics that schools have been expected to teach has greatly expanded. An increase in standardized testing and the inclusion of greater test preparation and other mandates such as emergency preparedness drills have reduced the number of instructional minutes in the school day (Shah, 2013). While society's demands have raised expectations for what schools are to accomplish, the average school day and calendar have not been extended (Vollmer, 2011). The addition of dating violence education could mean a decrease in time devoted to other topics, including academics. Extra time also would be required to provide counselors, teachers, and other school staff with adequate training. Administrators and other school leaders also would need to determine how much training would be considered "adequate" and would have to devote time to developing or selecting appropriate curriculum materials to use in training staff and instructing students.

Expertise and training

Mandating dating violence education without providing a specific directive for *who* should teach it could be problematic. One university professor who prepares future school and community counselors commented, “I find it disturbing to ask teachers to infuse in their curriculum a topic that seems a bit distant from their curriculum – school counselors can help do this.” Teachers likely will not have the same level of expertise as school counselors in managing potentially emotional responses from students, referring students to shelters or other support services, or acting as mandated reporters when students begin to report abusive relationships to them.

In their study of wellness policies created by Alabama public schools to meet the state’s school food and nutrition mandates, Gaines et al. (2011) found that providing training for school personnel, particularly teachers, was one of the least completed mandates. Unqualified or ill-prepared staff could negatively impact the benefits to be gleaned from instruction in how to identify and prevent relationship violence.

Parental resistance

Resistance from parents may be encountered. Some parents may believe that discussions of dating and romantic relationships would more appropriately be handled in the home rather than in school. They may perceive the mandate as an imposition of school into a personal, value-laden area for which families are responsible. Additionally, some parents may be uncomfortable with the content of the instruction and request that their children be exempt from participating.

Student resistance

Due to the personal and sensitive nature of the topic of dating violence, students may be hesitant to discuss it with their teachers or peers. One survey respondent indicated that “as this is a sensitive topic, students may feel unwilling or uncomfortable sharing their own dating experiences, particularly if their partner is in the same class.” Another respondent mentioned that “children who are seeing domestic violence at home may have difficulties hearing about the dangers of dating violence and reconciling that with their lived experience.”

Efficacy of programs

A 2004 review of school-based relationship violence education programs raises doubts about their effectiveness. Specifically, the researchers concluded that the programs reviewed were “generally found to be not very effective at preventing relationship violence in the short term, and less effective in the long term” (Meyer and Stein, 2004, 198). These researchers questioned whether increasing students’ knowledge about relationship violence resulted in a meaningful impact on their behavior.

As mentioned earlier, research has determined that effective prevention programs share several characteristics, some of which can be challenging for school districts to implement (Nation et al., 2005; Gaines et al., 2011). For example, effective prevention programs expose participants to the instruction frequently and intensely enough to have effect (sufficient

dosage). They must also include a systematic evaluation instrument to determine whether the program is having its intended effect. These are only two of several principles that programs must contain if they are to have the strongest chance of being effective in reducing rates of adolescent relationship abuse, according to researchers.

Redundant to existing legislation and instructional options and resources

While existing Academic Standards for Health, Safety, and Physical Education and Student Interpersonal Skills Standards issued by PDE do not specifically include references to “dating violence,” they address concepts and skills closely related to this issue. Since these skills are already covered in the existing standards, a separate mandate explicitly dealing with dating violence is unnecessary. Current federal and state legislation also compel schools to develop policies and protocols related to violence and harassment, topics under which dating violence would be subsumed. In their public comments, the Pennsylvania School Boards Association notes that both PDE and PSBA have issued Model Dating Violence Policies for use by local school districts, some of which have already adopted them.

Potential legal liability

“While school officials certainly want students to be safe, their primary role is that of educators, not law enforcement.” This comment from the Pennsylvania School Boards Association raises concerns about schools adopting a role which they are unauthorized, unfunded, and unprepared to assume. In their review of the Model Dating Violence policy drafted by PDE, the PSBA cautioned that the policy might impose legal obligations on schools, thus increasing their liability. Legal implications of a mandate on dating violence education should be carefully considered.

VIII. Courses of Action

The review of the literature contained in this report points to a range of options regarding the role of schools in addressing the issue of dating violence. This section outlines four different courses of action for the Ad Hoc Committee on Mandatory Dating Violence Education to consider when making its recommendation to the General Assembly.

(1) Maintain the current provisions of Act 104 as they pertain to instruction in dating violence education.

The current provisions of Act 104 can be organized into two categories: requirements and optional actions. *Requirements* include the following:

- Requires the Department of Education to provide school districts with grade-appropriate educational materials regarding dating violence and healthy relationships for the purpose of assisting districts in preparing an instructional program on dating violence (PDE may draw upon materials that are already publicly available);
- Requires the Department of Education to develop a model dating violence policy as a voluntary guide for school districts.

The current provisions *allow*, but do not require, school districts to do the following:

- Incorporate age-appropriate dating violence education into their health curriculum for students in grades 9-12;
- Permit parents and guardians to review dating violence instructional materials and to opt their student out of such instruction;
- Establish policies to address dating violence involving students at school;
- Provide dating violence training to guidance counselors, nurses and mental health staff in high schools.

Considerations: This option does not place additional burden on schools to find the time and funding to draft and incorporate new school policies or protocols, locate or adopt dating violence education programming, or select and provide appropriate training to school personnel.

(2) Transform the optional components of Act 104 related to instruction in dating violence education into requirements.

Considerations: Some aspects of this mandate may not strain local school budgets, while others may do so. For instance, both PDE and PSBA already have developed Model Dating Violence Policies which schools can adapt/adopt. Additionally, numerous resources are publicly available and can be accessed for free online; therefore, school districts may not need to engage in curriculum development, but rather curriculum evaluation and selection.

While some training courses for school personnel are available for free online (e.g., *Dating Matters™*), others may involve costs related to purchasing of the materials or providing time for counselors and teachers to participate in the training. Additionally, it is unclear whether short-term training programs will be effective in preparing school members to adequately teach about and respond to teen dating violence. The possibility of parental and student resistance as well as potential legal liability would need to be further researched before moving forward with this option.

(3) Add “dating violence education” to the State Academic Standards for Health, Safety, and Physical Education.

Considerations: By adding “dating violence education” into the state academic standards, the State Board raises public awareness and recognizes the significance of this issue. Local school boards have the responsibility to align their curriculum and instruction to the standards; therefore, including it in the

standards would mean that schools would be required to provide some instruction on this topic. Significantly, this course of action would allow local curriculum developers and administrators to choose how to best address this standard. However, Meyer and Stein (2004) caution against this type of “add on” or “peripheral” treatment because it may not effectively foster the desired behavioral or attitudinal changes.

By including guidelines for dealing with harassment and violence, existing school policies, protocols, and academic standards already incorporate content related to teen dating violence.

- (4) **Revise the language of Act 104 from “allowing” dating violence education to “recommending” or “endorsing” it** (following the lead of eight other states: Arizona, California, Connecticut, Georgia, Indiana, Maryland, New Hampshire, Tennessee).

Considerations: Amending the act to incorporate slighter stronger language would indicate that the General Assembly recognizes the seriousness of the threat caused by teen dating violence. The amendment could require the Department of Education to include a database of support services, centers, hotlines, and links to free educational materials on its website. At the same time, this action might be viewed as symbolic rather than substantive.

IX. Recommendation

After reviewing the potential courses of action, the State Board of Education recommends that the General Assembly maintain the current provisions of Act 104, codified in §§ 1553(D)(1-5) of the Public School Code. The current School Code provisions provide flexibility for school districts to address dating violence education in a manner appropriate to meet local needs and in a manner that allows districts to determine how to best manage their time given the breadth of the district’s other academic responsibilities.

While not mandating additional requirements for school districts, the Board also recommends that the Department of Education strengthen the materials and resources on its Standard Aligned Systems website related to the current academic standards in Health, Safety and Physical Education for grades nine through twelve to include materials on dating violence education. In addition to strengthening the resources available to support districts, the Department should make information available to districts about the characteristics of effective prevention programs as identified by researchers at Vanderbilt University and referenced in this report.

Finally, the Board recommends that the Department of Education and school districts ensure school counselors are appropriately trained to address dating violence education as counselors serve in a unique position to provide support services to students related to this matter.

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