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HOUSE BILL 615

**49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

INTRODUCED BY

Anna M. Crook

AN ACT

RELATING TO EDUCATION; REQUIRING PUBLIC SCHOOLS TO ADOPT DATING  
VIOLENCE POLICIES AND TO INCORPORATE DATING VIOLENCE  
INFORMATION INTO HEALTH EDUCATION CURRICULA IN GRADES SEVEN  
THROUGH TWELVE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the Public School Code is  
enacted to read:

"[NEW MATERIAL] SCHOOL POLICIES ON DATING VIOLENCE.--

A. On or before January 1, 2010, the department  
shall develop a model dating violence policy to assist local  
school boards in developing policies for reporting and  
responding to dating violence.

B. On or before July 1, 2010, each local school  
board shall establish a specific policy to address dating

1 violence involving students at school. The policy shall  
2 include:

3 (1) a statement that dating violence will not  
4 be tolerated;

5 (2) dating violence reporting procedures;

6 (3) guidelines for responding to incidents of  
7 dating violence at school; and

8 (4) discipline procedures for incidents of  
9 dating violence at school.

10 C. Local school boards shall include the dating  
11 violence policy in any school district discipline policy.

12 D. Each school district shall provide dating  
13 violence training to all administrators, teachers, nurses and  
14 mental health staff at the middle and high school levels. The  
15 training shall include basic principles of dating violence,  
16 warning signs of dating violence and the school district's  
17 dating violence policy.

18 E. Each school district shall inform the students'  
19 parents of the school district's dating violence policy.

20 F. This section does not prevent a victim from  
21 seeking redress under any other available law, either civil or  
22 criminal. This section does not create or alter any tort  
23 liability.

24 G. As used in this section:

25 (1) "local school board" includes the

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1 governing body of a charter school; and

2 (2) "school district" includes a charter  
3 school."

4 Section 2. Section 22-13-1 NMSA 1978 (being Laws 2003,  
5 Chapter 153, Section 57, as amended by Laws 2007, Chapter 307,  
6 Section 7 and by Laws 2007, Chapter 308, Section 7) is amended  
7 to read:

8 "22-13-1. SUBJECT AREAS--MINIMUM INSTRUCTIONAL AREAS  
9 REQUIRED--ACCREDITATION.--

10 A. The department shall require public schools to  
11 address department-approved academic content and performance  
12 standards when instructing in specific department-required  
13 subject areas as provided in this section. A public school or  
14 school district failing to meet these minimum requirements  
15 shall not be accredited by the department.

16 B. All kindergarten through third grade classes  
17 shall provide daily instruction in reading and language arts  
18 skills, including phonemic awareness, phonics and  
19 comprehension, and in mathematics. Students in kindergarten  
20 and first grades shall be screened and monitored for progress  
21 in reading and language arts skills and students in second  
22 grade shall take diagnostic tests on reading and language arts  
23 skills.

24 C. All first, second and third grade classes shall  
25 provide instruction in art, music and a language other than

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1 English, and instruction that meets content and performance  
2 standards shall be provided in science, social studies,  
3 physical education and health education.

4 D. In fourth through eighth grades, instruction  
5 that meets academic content and performance standards shall be  
6 provided in the following subject areas:

7 (1) reading and language arts skills, with an  
8 emphasis on writing and editing for at least one year and an  
9 emphasis on grammar and writing for at least one year;

10 (2) mathematics;

11 (3) language other than English;

12 (4) communication skills;

13 (5) science;

14 (6) art;

15 (7) music;

16 (8) social studies;

17 (9) New Mexico history;

18 (10) United States history;

19 (11) geography;

20 (12) physical education; and

21 (13) health education.

22 E. Beginning with the 2008-2009 school year, in  
23 eighth grade, algebra 1 shall be offered in regular classroom  
24 settings or through on-line courses or agreements with high  
25 schools.

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1 F. In fourth through eighth grades, school  
2 districts shall offer electives that contribute to academic  
3 growth and skill development and provide career and technical  
4 education.

5 G. In ninth through twelfth grades, instruction  
6 that meets academic content and performance standards shall be  
7 provided in health education.

8 H. In seventh through twelfth grades, age-  
9 appropriate instruction on dating violence shall be  
10 incorporated into the health education curriculum. Upon  
11 written request to the school principal, the parent of a  
12 student less than eighteen years of age shall be permitted to  
13 examine the dating violence education instructional materials  
14 at the student's school."