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FISCAL IMPACT REPORT

SPONSOR Crook ORIGINAL DATE 2/22/2009
LAST UPDATED _____ HB 615
SHORT TITLE School Dating Violence Policies SB _____
ANALYST Aguilar

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY09	FY10	FY11	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
Total		Minimal				

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Public Education Department (PED)

Office of Educational Accountability (OEA)

Attorney General's Office (AGO)

Children, Youth and Families Department (CYFD)

SUMMARY

Synopsis of Bill

House Bill 615 provides for the PED to develop a model dating violence policy to assist local school boards in developing policies for reporting and responding to dating violence.

The bill also requires local school boards to establish a specific policy to address dating violence involving students at school and to include the policy in any school district discipline policy.

HB-615 also provides for school districts to provide dating violence training to all middle and high school staff, to inform students' parents of the school district's dating violence policy, and to incorporate dating violence information into Health Education curricula in grades 7 through 12.

FISCAL IMPLICATIONS

None noted although the department may incur minimal cost to establish rules or policies to implement the provisions of this bill

SIGNIFICANT ISSUES

The AGO notes that one significant issue regarding HB615 involves the reaction that parents in the school district may have to this type of health instruction. However, HB615 addresses this issue in providing the parents the ability to file a written request with the school principal, to examine the dating violence education instructional materials, if their child is under the age of eighteen years.

CYFD reports that nationally, one in three girls who have been in a serious relationship report they worry about being physically hurt by their partner. One in five teens who have been in a serious relationship report being hit, slapped or pushed by a partner. Twenty three percent of teens that had been physically or sexually assaulted by a dating partner reported the abuse to no one (Love is Not Abuse (2006) Survey Results and SafeState.org Teen Dating Violence Fact Sheet). Of the female adolescents between the ages 16-19 murdered each year from 1990-1999, 22 percent are killed by intimate partners (Bureau of Justice Statistics Press Release (2001), Violence Among Intimate Partners)

In New Mexico, one in ten students reports having been physically abused by their boyfriend or girlfriend in the past 12 months and over 8 percent reported being forced to have sex, with girls reporting at twice the frequency of their male peers (New Mexico Youth Risk and Resiliency Survey, 2005).

OEA notes that the New Mexico Attorney General’s Office website provides resources related to dating violence, and defines it as: “...a pattern of abusive behaviors that one person uses to have control in a relationship with someone else...types of abuse include physical abuse, sexual abuse, emotional abuse, verbal abuse, psychological abuse, spiritual abuse and financial abuse.”

In order to address this issue, the states of Texas and Rhode Island have implemented legislation requiring schools to educate about the potential dangers of teen dating violence. While Texas specifically mandates that all school districts adopt and implement anti-dating violence policies, Rhode Island goes further by implementing curriculum in grades 7-12.

HB 615 also amends 22-12-1 NMSA 1978 to require that in 7th through 12th grades, age-appropriate instruction on dating violence shall be incorporated into the health curriculum, and that parents have the right to inspect dating violence instructional materials upon request.

TECHNICAL ISSUES

Page 3, lines 2-3 – the definition excludes a reference to state-chartered charter schools.

The bill does not indicate when and/or how often the dating violence workshops should be conducted.

PA/mc