

Department of Legislative Services
2011 Session

FISCAL AND POLICY NOTE

House Bill 386 (Delegate Carter, *et al.*)
Ways and Means and Judiciary

Education - Tween/Teen Dating Violence (Kristin Marie Mitchell Law)

This bill requires the State Board of Education, on or before January 1, 2012, to adopt a program in the public schools to educate students about dating violence. The program must include education on services provided to victims of dating violence and must be started before the sixth grade.

The bill also expands the definition of a “victim of domestic violence” to include as the perpetrator a person with whom the individual has or has had a dating relationship. The Governor is required to proclaim the first week of February as Tween/Teen Dating Violence Education and Awareness Week.

Fiscal Summary

State Effect: General fund expenditures increase by \$10,000 in FY 2012 to develop a program in the public schools to educate students about dating violence. The Maryland State Department of Education (MSDE) can handle the bill’s requirements in future years using existing resources. Revenues are not affected.

(in dollars)	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	10,000	0	0	0	0
Net Effect	(\$10,000)	\$0	\$0	\$0	\$0

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

Local Effect: Local school expenditures may increase minimally to implement the dating violence program with support from MSDE. Revenues are not affected.

Small Business Effect: None.

Analysis

Current Law: Pursuant to Chapter 344 of 2009, the State Board of Education must encourage local boards of education to incorporate age-appropriate lessons on dating violence into the health education curriculum.

With the advice of the State Superintendent of Schools, the State Board of Education establishes basic policy and guidelines for the program of instruction for public schools. Subject to State law and the bylaws, policies, and guidelines established by the State Board of Education, each local board of education must establish the curriculum guides and courses of study for schools in its jurisdiction.

For the purposes of a domestic violence program that the Secretary of Human Resources is required to establish, a “victim of domestic violence” is defined as an individual who has received deliberate, severe, and demonstrable physical injury or is in fear of imminent deliberate, severe, and demonstrable physical injury from a current or former spouse or a current or former cohabitant.

Eight official commemorative days and three months are recognized in State law as shown in **Exhibit 1**. The Governor also must issue a proclamation each year encouraging citizens and other individuals to observe a moment of silence at 3 p.m. on Memorial Day to unite in remembrance and commemorate the heroic acts and efforts of Marylanders who have served and died in the U.S. armed forces.

Background: Kristin Marie Mitchell, an Ellicott City, Maryland native, was 21 when she was murdered by her boyfriend. Following her death in 2005, her friends and family established the Kristin Mitchell Foundation to support educational efforts that raise awareness among young adults about the dangers of unhealthy dating relationships.

The first full week in February has been recognized as National Teen Dating Violence Awareness and Prevention Week by the U.S. Congress every year since 2006. According to the *New York Times*, limited public health research estimates about 10% of adolescent relationships are abusive. An online survey by Liz Claiborne Inc. reports that only 51% of respondents claimed to know the warning signs of a bad or hurtful relationship, and one in five 13 to 14 year olds in a relationship say they know friends and peers who have been struck in anger by a boyfriend or girlfriend. A survey by the New York City Department of Health and Mental Hygiene showed that dating violence in the city has risen by more than 40% since 1999. In a 2007 survey over 14% of Maryland high school students reported that they had experienced dating violence.

Exhibit 1
Official Commemorative Days and Months in Maryland

Asian Lunar New Year Day ¹	January/February
Black History Month	February
Women's History Month	March
John Hanson's Birthday ²	April 13
Negro Baseball League Day ³	May
Law Day	May 1
Fire, Rescue, and Emergency Services Workers Day ⁴	June
Maryland Charter Day	June 20
Hispanic Heritage Month ⁵	September/October
Poetry Day	October 15
Annapolis Charter Day	December 17

¹Day designated as new year on the Asian lunar calendar.

²John Hanson served as the first president of the Continental Congress under the Articles of Confederation from 1781 to 1782.

³Commemorated on the second Saturday in May.

⁴Commemorated on the first Sunday in June.

⁵Commemorated from September 15 to October 15.

Some other states have begun to take action against tween and teenager dating violence. In 2006, Tennessee passed a law urging its department of education to develop curriculum for grades 7 through 12 to raise student awareness of teen dating and sexual violence. Texas law requires each school district to adopt and implement a dating violence policy. New York has recently expanded its domestic violence law to include teenagers in dating relationships. Overall, 14 states have enacted laws regarding providing information about dating violence in schools.

Chapter 344 of 2009 required the State Board of Education to encourage local boards of education to incorporate age-appropriate lessons on dating violence into their health education curricula and MSDE advises that the health education voluntary State curriculum includes a framework that addresses healthy relationships and domestic violence. The Department of Human Resources advises that rape crisis centers provide prevention education and awareness programs in their local communities, including schools. Dating violence is addressed under these circumstances, not only with students from elementary to high school, but also with parents, teachers, and other professionals.

State Expenditures: General fund expenditures increase by an estimated \$10,000 in fiscal 2012 only. This estimate reflects the cost of developing age-appropriate resources regarding dating violence and posting the information online. The estimate includes funds for travel reimbursement, as MSDE advises that the program will be created with input from local school system representatives and partner agencies. The estimate also includes funds to purchase materials to develop and support a teacher training program that will be required once the program is developed. Once the program is developed, MSDE can provide any technical support to local school systems using existing resources.

Local Expenditures: Local school systems will be responsible for costs associated with the implementation of the dating violence program developed by MSDE, including the duplication of materials and training teachers. Frederick County estimates that expenditures for the Frederick County Public School System will increase to implement the program. Montgomery County advises that schools already have violence awareness and prevention programs and that any costs for supplies and training associated with this bill will require a reduction in resources for other programs.

Additional Information

Prior Introductions: HB 911 of 2010 received a hearing in the House Ways and Means Committee, but no further action was taken. Its cross file, SB 984, was referred to the Senate Rules Committee, but no further action was taken.

Cross File: SB 667 (Senator Muse) – Education, Health, and Environmental Affairs and Judicial Proceedings.

Information Source(s): Department of Human Resources; Maryland State Department of Education; Judiciary (Administrative Office of the Courts); Frederick and Montgomery counties; Department of State Police; National Conference of State Legislatures; National Center for Victims of Crime; Liz Claiborne Inc.; Department of Legislative Services

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