

Date of Hearing: April 12, 2023

ASSEMBLY COMMITTEE ON EDUCATION
Al Muratsuchi, Chair
AB 1071 (Hoover) – As Introduced February 15, 2023

SUBJECT: Comprehensive teen dating violence prevention education

SUMMARY: Authorizes local educational agencies (LEAs) and charter schools to provide teen dating violence prevention education and requires the California Department of Education (CDE) to post information and resources about this content on its website. Specifically, **this bill:**

- 1) Authorizes LEAs and charter schools to provide teen dating violence prevention education consistent with the act established by the bill.
- 2) Defines “comprehensive teen dating violence prevention education” to mean instruction on the prevalence and nature of abuse, including sexual abuse, coercive control, strategies to reduce risk, techniques to set healthy boundaries, and how to safely seek assistance, as defined.
- 3) States that a parent or guardian of a student has the right to excuse their child from all or part of this instruction and assessments.
- 4) Requires the CDE to make all of the following available on its website:
 - a) Information about the comprehensive teen dating violence prevention education authorized by the act;
 - b) Resources on abuse, including sexual, emotional, and physical abuse, and teen dating violence prevention for professional learning purposes;
 - c) Other relevant materials for parents, guardians, and other caretakers of students; and
 - d) Encourages each LEA and charter school to collaborate with their county’s child welfare department, mental health department, public health department, district attorney’s office, sheriff’s departments, juvenile court, and county office of education (COE) on intervention and education programs for students and other minors.
- 5) Encourages comprehensive teen dating violence prevention education to satisfy all of the following requirements:
 - a) Instruction and instructional materials are age appropriate;
 - b) Instructional materials include understanding the signs of teen dating violence, coercive control, and various levels of abuse;
 - c) Instructional materials include a guide on how to maintain healthy boundaries in the digital age, including, but not limited to, text messaging, audio and video calling, location sharing, and social media etiquette;

- d) Instruction and instructional materials include real life teen dating violence examples from teens;
 - e) Instruction and instructional materials encourage students to communicate with their parents, guardians, and other trusted adults about teen dating violence, and provide the knowledge and skills necessary to do so;
 - f) Instruction and instructional materials teach the value of, and prepare students to have and maintain, committed healthy relationships, such as marriage;
 - g) Instruction and instructional materials provide students with knowledge and skills they need to form healthy relationships that are based on mutual respect and affection, and that are free from violence, coercion, and intimidation; and
 - h) Instruction and instructional materials provide students with knowledge and skills for making and implementing healthy decisions about sexuality, including negotiation and refusal skills to assist students in overcoming peer pressure and using effective decision-making skills to avoid high-risk activities.
- 6) Encourages school districts, COEs, and charter schools to provide comprehensive teen dating prevention education to all students in grades 7 to 12, inclusive, from teachers trained in comprehensive teen dating prevention education, at least once in junior high or middle school and at least once in high school.
- 7) Encourages that comprehensive teen dating violence prevention education include all of the following:
- a) Information on the signs of teen dating violence, including, but not limited to, technology abuse, gaslighting, narcissistic behavior abuse, sexual abuse, emotional abuse, and physical abuse;
 - b) Information on the steps to maintain healthy boundaries in romantic relationships, including how creating healthy boundaries is empowering, and that by recognizing the need to set and enforce limits, teens can protect their self-esteem, maintain self-respect, and enjoy healthy relationships, and how unhealthy boundaries can cause emotional pain that can lead to dependency, depression, anxiety, and even stress-induced physical illness;
 - c) Information about how to see the signs in other people experiencing abuse, ranging from friends, to siblings, to parents;
 - d) Information on how teen dating violence can escalate from seemingly harmless actions to accelerated abuse or even death;
 - e) Information on case examples of teens who have lost their lives to teen dating violence;
 - f) Discussion on how teen dating violence is considered an adverse childhood experience that can have lasting, negative effects on health and well-being, as well as life

opportunities, such as education and job potential, and how these experiences can increase the risks of injury, sexually transmitted infections, maternal and child health problems, including teen pregnancy, pregnancy complications, and fetal death, involvement in sex trafficking, and a wide range of chronic diseases and leading causes of death, such as cancer, diabetes, heart disease, and suicide;

- g) Information on how teen dating violence sets the stage for future relationship problems, including intimate partner violence and sexual violence perpetration or victimization throughout life, including examples such as youth who are victims of dating violence in high school are at higher risk for victimization during college and adulthood;
- h) Information about local resources, how to access local resources, and students' right to access local resources for teen dating violence, including local resources for assistance with sexual assault and domestic violence within the home;
- i) Information on how to identify domestic violence and how observing it could affect a teen's view of relationships and how that experience may affect their actions in their own relationships; and
- j) Resource guides for students, at the discretion of the school.

EXISTING LAW:

- 1) Requires, as part of comprehensive sexual health education, that LEAs and charter schools provide students with information on local resources for assistance with sexual assault and intimate partner violence. (Education Code (EC) 51934)
- 2) Requires that, when the health education framework is revised after January 1, 2017, the Instructional Quality Commission (IQC) consider including comprehensive information for kindergarten and grades 1 to 8, inclusive, on the development of healthy relationships, which is age and developmentally appropriate and consistent with the health education standards adopted by the state board. (EC 33546)
- 3) States that, for purposes of this section, the "development of healthy relationships" includes, but is not limited to:
 - a) Understanding the principles of treating one another with respect, dignity, and kindness;
 - b) Demonstrating the ability to use interpersonal communication skills to address and resolve disagreement and conflict; and
 - c) Recognizing when and how to respond to dangerous or other situations that may result in the bullying, harassment, harming, or hurting of another person. (EC 33546)
- 4) Requires that, when the health education framework is revised after January 1, 2016, the IQC consider including comprehensive information for grades 9 to 12, inclusive, on sexual harassment and violence that includes, but is not limited to, all of the following:

- a) Information on different forms of sexual harassment and violence, including instances that occur among peers and in a dating relationship; a discussion of prevention strategies; how students report sexual harassment and violence; and potential resources victims can access;
 - b) Discussion of the affirmative consent standard, as defined, and skills students use to establish boundaries in peer and dating relationships; and
 - c) Discussion of legal aspects of sexual harassment and violence under state and federal law. (EC 33544)
- 5) Requires that, if the governing board of a school district requires a course in health education for graduation from high school, the governing board of the school district shall include instruction in sexual harassment and violence, including, but not limited to, information on the affirmative consent standard, as defined.
- 6) Requires that, if the governing board of a school district provides instruction on sexual harassment and violence, it ensure teachers consult information related to sexual harassment and violence in the health education framework when delivering health instruction. (EC 51225.36)
- 7) Requires that when the health education framework is next revised after January 1, 2015, the IQC consider including a distinct category on sexual abuse and sex trafficking prevention education that includes, but is not limited to, all of the following:
- a) Information on different forms of sexual abuse and assault; discussion of prevention strategies; how to report sexual abuse or suspected sexual abuse; and local resources for victims;
 - b) Discussion of healthy boundaries for relationships; how to recognize potentially harmful and abusive relationships; and refusal skills to overcome peer pressure and to avoid high-risk activities;
 - c) Information on sex trafficking and risk factors; the recruiting tactics of sex traffickers and peer recruiters, including recruitment through the internet; how to report sex trafficking or suspected sex trafficking; and local resources for victims;
 - d) Discussion of legal aspects of sexual abuse and sex trafficking under state and federal laws; and
 - e) Discussion of how culture and mass media influence and desensitize our perceptions of sexual abuse and sex trafficking, including, but not limited to, stereotypes and myths about the victims and abusers, victim blaming, and the role of language. This instruction shall emphasize compassion for people who have suffered from sexual abuse or sex trafficking, and support positive reentry experiences for survivors returning to school. (EC 33545)
- 8) Authorizes a school district to provide sexual abuse and sex trafficking prevention education, defined as instruction on the prevalence and nature of sexual abuse and sex trafficking,

strategies to reduce their risk, techniques to set healthy boundaries, and how to safely report an incident.

- 9) States that a parent or guardian of a student has the right to excuse his or her child from all or part of sexual abuse and sex trafficking prevention education, and assessments related to that education.
- 10) Authorizes the CDE to make available on its website resources on sexual abuse and sex trafficking prevention for professional learning purposes, and relevant materials for parents and guardians of students.
- 11) Encourages schools to collaborate with law enforcement on intervention programs for high-risk students and minors.
- 12) Authorizes in-service training to be conducted periodically to enable school district personnel to learn about new developments in the understanding of sexual abuse and sex trafficking, and to receive instruction on current prevention efforts and methods. (EC 51950)

FISCAL EFFECT: Unknown

COMMENTS:

Need for the bill. “Teen dating violence is widespread, prevalent, and negatively affects adolescents’ mental, physical and social health. These risks are also significantly increasing in the growing digital age. We need education programs and courses aimed at preventing dating violence and promoting healthy relationship skills in day-to-day life as well as online. Not only will this improve the health and quality of life of children and adolescents, but it has the potential to prevent adult domestic violence. When looking at domestic and intimate partner violence, the tools to empower youth to not become future victims or perpetrators should be taught during this key cognitive development stage. The goal of trauma-informed education, such as a teen dating violence curriculum, is to save lives from being negatively impacted but also to proactively deter behavior that could result in the need for criminal justice intervention in the future.”

Prevalence of teen dating violence. According to materials provided by the author, research shows that teen dating violence is experienced and perpetrated by a significant number of students:

- Data from the Centers for Disease Control and Prevention’s (CDC’s) Youth Risk Behavior Survey show that in 2013, among students who dated, 20.9% of female students and 10.4% of male students experienced some form of teen dating violence during the 12 months before the survey. (Vagi, 2015)
- In one study of survey data from 2,895 middle school students in four U.S. cities, 77% reported perpetrating verbal/emotional abuse, 32% reported perpetrating physical abuse, 20% reported threatening a partner, 15% reported perpetrating sexual abuse, 13% reported perpetrating relational abuse, and 6% reported stalking. (Niolon, 2015)
- Data from the CDC’s Youth Risk Behavior Survey show that, teens experiencing teen dating violence were more likely to report carrying a weapon at school, missing school

because they felt unsafe, being threatened or injured with a weapon on school property, having a physical fight at school, and being bullied on school property. (Vivolo-Kantor, 2016)

- According to the CDC, intimate partner violence often begins in adolescence. An estimated 8.5 million women in the U.S. (7%) and over 4 million men (4%) reported experiencing physical violence, rape or stalking from an intimate partner in their lifetime and indicated that they first experienced these or other forms of violence by that partner before the age of 18. (CDC, 2017)

Teen dating violence in Health Education Content Standards and Health Education

Framework. The Health Education Content Standards adopted by the SBE in 2008 include several standards related to teen dating violence:

Grades 7-8:

- 5.1.S: Use a decision-making process to examine risky social and dating situations.
- 5.2.S: Apply a decision-making process to avoid potentially dangerous situations, such as gang activities, violence in dating, and other social situations.
- 7.5.M: Demonstrate skills to avoid or escape from potentially violent situations, including dating.

Grades 9-12:

- 1.2.S Recognize potentially harmful or abusive relationships, including dangerous dating situations.

The Health Education Framework adopted by the SBE in 2019 contains a significant amount of content on healthy relationships, teen dating violence, and sex trafficking.

In the chapter for grades 7-8, the Framework contains an extensive discussion of healthy relationships, dating violence, and sex trafficking, which includes a sample lesson on dating violence. In the chapter for grades 9-12, the Framework states:

One in three teens will experience teen dating violence, and many do not report or even recognize their experience as abuse. Students can research domestic violence and teen dating violence to learn more about its prevalence and impact and resources for support for themselves or others.

It is important for students to understand that relationship abuse or intimate partner violence impacts people of all genders and sexual orientations, and is about one person having power and control over another. It is not limited to physical violence. Different forms of abuse are meant to control the person being targeted. Coercive control is a pattern of behavior which seeks to take away the victim's liberty or freedom and to strip away their sense of self. Through further discussion and research, students can assess characteristics of harmful or abusive relationships (9–12.7.5.S), including the six forms of relationship abuse [shown in a table].

Students may benefit from more anonymous online resources, such as the Love is Respect website of the National Domestic Violence Hotline. Students may also benefit from making a connection with helpful people and resources in the community. Inform students that many services available at domestic violence agencies, youth service agencies, and suicide prevention hotlines and organizations are confidential and do not require parental consent to access (e.g., counseling and support hotlines). Invite a local domestic violence agency to present information about dating violence and locally available resources and services. Information about domestic violence organizations can be an important resource for students who are exposed to abusive adult relationships. These agencies are usually experienced in providing presentations to youth and can help facilitate discussion about the issue. They can also provide safety planning information and counseling services for students who are in an unhealthy or dangerous situation.

Adolescence as a ‘window of opportunity’ for preventing sexual violence. According to the National Conference of State Legislatures (NCSL), 22 states had laws pertaining to teen dating violence (physical and sexual) as of 2014. Many of these laws require or encourage instruction in violence prevention as part of health education, or require the development of curriculum on this topic. NCSL notes that while destructive relationships during the teen years are associated with lifelong unhealthy relationship practices and other risk factors, “adolescence is a ‘window of opportunity’ for prevention” of sexual and physical violence.

Arguments in support. The (Em)power + Resilience Project writes, “The (Em)power + Resilience Project serves as a peer-to-peer support network, empowering survivors to connect to a current network of other survivors, resources, trainings and opportunities to help them through their process. One of our surviving families, the Vanderschoots, lost their daughter and sister Justine Vanderschoot to teen dating violence. They have turned their pain into purpose by working to educate youth on the dangers of teen dating violence. Their resilience and resolve inspire us to continue to educate our communities on these risks. Their bravery works to ensure that no other teenager or family has to experience the devastation of teen dating violence. One in 12 teens will experience teen dating violence in their lifetime. Studies show that adverse childhood experiences, such as teen dating violence, can have profound negative impacts on an individual such as alcohol and drug use, onset of depression and can also set the stage for future relationship problems. By teaching our youth healthy boundaries and the early signs of teen dating violence, we hope to educate and prevent future victims and aggressors.”

Recommended amendments. *Staff recommends that this bill be amended* to remove the authorization to provide teen dating violence prevention education, as LEAs are already authorized to provide this instruction, and instead require that the CDE post resources on this topic on its website, for use by LEAs. Specifically, the CDE would be required to post:

- Resources on abuse, including sexual, emotional, and physical abuse, and teen dating violence prevention for professional learning purposes.
- Information about local and national hotlines and services for youth experiencing teen dating violence.
- Other relevant materials for parents, guardians, and other caretakers of pupils.

Related legislation. SB 1435 (Jackson) Chapter 633, Statutes of 2016, requires, when the health curriculum framework is next revised after January 1, 2017, the IQC to consider including comprehensive information for kindergarten and grades 1 to 8, inclusive, on the development of healthy relationships, as specified.

SB 592 (Leyva) of the 2015-16 Session would have required school districts to provide educational programs that promote healthy relationships and prevent adolescent relationship abuse to students in grades 6-12, required the Superintendent of Public Instruction (SPI) to provide information for use by schools, and required school safety plans to include procedures and policies to prevent and respond to adolescent relationship abuse. SB 592 was held in the Senate Appropriations Committee.

AB 329 (Weber), Chapter 398, Statutes of 2015, makes instruction in sexual health education a requirement, revises HIV prevention education content, expands topics covered in sexual health education, requires this instruction to be inclusive of different sexual orientations, and clarifies parental consent policy.

SB 695 (de Leon), Chapter 424, Statutes of 2015, requires the IQC to consider adding content to the health curriculum framework for grades 9-12 on sexual harassment and violence, including the affirmative consent standard, and requires school districts which require a health course for graduation to include this content.

AB 1227 (Bonta), Chapter 558, Statutes of 2017, establishes the Human Trafficking Prevention Education and Training Act, which allows schools to provide training on human trafficking, and makes changes to the Commercially Sexually Exploited Children Program by, among other things, including educational entities among the groups with whom a county must collaborate, as specified.

SB 1165 (Mitchell), Chapter 713, Statutes of 2014, requires the IQC to consider including sexual abuse and sex trafficking prevention education in the health framework when it is next revised.

REGISTERED SUPPORT / OPPOSITION:

Support

(EM)power + Resilience Project

Opposition

None on file

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