

114TH CONGRESS  
1ST SESSION

# S. 355

To support the provision of safe relationship behavior education and training.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 3, 2015

Mr. KAINE (for himself, Mrs. MCCASKILL, and Mr. BLUMENTHAL) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To support the provision of safe relationship behavior education and training.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Teach Safe Relation-  
5 ships Act of 2015”.

6 **SEC. 2. FUND FOR THE IMPROVEMENT OF EDUCATION.**

7 Part D of title V of the Elementary and Secondary  
8 Education Act of 1965 (20 U.S.C. 7241 et seq.) is amend-  
9 ed by adding at the end the following:

1    **“Subpart 22—Providing Safe Relationship Behavior**  
2                                   **Education and Training**

3    **“SEC. 5621. SHORT TITLE.**

4            “‘This subpart may be cited as the ‘Teach Safe Rela-  
5    tionships Act of 2015’.

6    **“SEC. 5622. STATEMENT OF PURPOSE.**

7            “‘It is the purpose of this subpart:

8                    “(1) To help ensure that all students receive  
9            evidence-informed safe relationship behavior edu-  
10           cation and training, including education and training  
11           regarding the prevention of teen and adolescent dat-  
12           ing violence or relationship abuse, domestic abuse,  
13           and sexual violence and harassment.

14                   “(2) To promote safe and healthy relationships  
15           between and among students.

16                   “(3) To help students and school faculty and  
17           staff to develop healthy and respectful attitudes and  
18           insights necessary for students to understand them-  
19           selves in the context of relationships with others and  
20           with society.

21                   “(4) To provide financial assistance to support  
22           local educational agencies in meeting the require-  
23           ments of title IX of the Educational Amendments of  
24           1972.

25    **“SEC. 5623. FINDINGS.**

26            “‘Congress finds the following:

1           “(1) Educating students about safe relationship  
2 behavior will aid in the prevention of unsafe dating  
3 practices, including dating violence, sexual assault,  
4 and stalking.

5           “(2) The Violence Against Women Act of 1994  
6 (42 U.S.C. 13925 et seq.) included programs to de-  
7 velop and implement prevention and intervention  
8 policies in middle and high schools, including appro-  
9 priate responses to, and identification and referral  
10 procedures for, students who are experiencing or  
11 perpetrating domestic violence, dating violence, sex-  
12 ual assault, sexual harassment, stalking, or sex traf-  
13 ficking.

14           “(3) Schools can play an important role in pro-  
15 viding students with a knowledge base that may  
16 allow students to make informed decisions and form  
17 a healthy lifestyle.

18           “(4) According to the Department of Justice,  
19 there is an average of 293,066 victims (age 12 or  
20 older) of rape and sexual assault each year.

21           “(5) Young women between the ages of 16 and  
22 24 experience the highest rate of intimate partner  
23 violence. According to one national study, 29 percent  
24 of the young women surveyed who had ever been in

1 a relationship said they had been pressured to have  
2 sex or to engage in sexual activity they did not want.

3 “(6) From 1997 to 2013, females ages 18 to 24  
4 consistently experienced higher rates of rape and  
5 sexual assault than females in other age brackets.

6 “(7) Partners of all genders and those in same-  
7 sex relationships also experience dating violence. A  
8 2013 survey of grade school students found that 43  
9 percent of lesbian, gay, bisexual, and transgender  
10 youth reported being victims of physical dating vio-  
11 lence, compared to 29 percent of heterosexual youth.

12 “(8) Experiencing dating violence is associated  
13 with an increase in sexual risk-taking behaviors,  
14 health risks, and is associated with adolescent and  
15 unintended pregnancy.

16 “(9) Teaching and learning practices in the  
17 United States frequently do not address safe rela-  
18 tionship behavior education and training, for exam-  
19 ple—

20 “(A) sex education curriculum should ad-  
21 dress emotional relationship health;

22 “(B) sexual harassment undermines the  
23 ability of schools to provide safe and equitable  
24 learning or workplace environments; and

1           “(C) classroom textbooks and educational  
2 materials do not sufficiently reflect the pro-  
3 motion of safe and healthy relationships.

4           “(10) Efforts to improve the quality of public  
5 education must also include efforts to ensure pro-  
6 grams for safe relationship behavior training.

7           “(11) Federal support should address not only  
8 research and development of innovative model cur-  
9 ricula and teaching and learning strategies to pro-  
10 mote healthy behavior, but should also assist schools  
11 and local communities with implementing a cur-  
12 riculum that includes sexual assault and teen dating  
13 violence.

14 **“SEC. 5624. DEFINITIONS.**

15           “In this subpart:

16           “(1) CONSENT.—

17           “(A) IN GENERAL.—The term ‘consent’  
18 means affirmative, unambiguous, and voluntary  
19 agreement to engage in a specific sexual activity  
20 during a sexual encounter.

21           “(B) LIMITATIONS.—Consent cannot be  
22 given by an individual who is—

23           “(i) asleep, or mentally or physically  
24 incapacitated, either through the effect of  
25 drugs or alcohol or for any other reason;

1                   “(ii) under duress or experiencing a  
2                   threat, coercion, or force; or

3                   “(iii) inferred under circumstances in  
4                   which consent is not clear, including the  
5                   absence of language or actions that indi-  
6                   cate unwillingness (such as saying ‘no’ or  
7                   ‘stop’), or the existence of a prior or cur-  
8                   rent relationship or prior or current sexual  
9                   activity.

10                   “(2) SAFE RELATIONSHIP BEHAVIOR EDU-  
11                   CATION.—The term ‘safe relationship behavior edu-  
12                   cation’ means education that—

13                   “(A) is medically accurate and appropriate  
14                   for an individual’s age, developmental stage,  
15                   and culture;

16                   “(B) promotes safe relationships and  
17                   teaches students to recognize and prevent—

18                   “(i) physical and emotional relation-  
19                   ship abuse; and

20                   “(ii) coercion, violence, or abuse, in-  
21                   cluding teen and adolescent dating vio-  
22                   lence, domestic abuse, and sexual violence  
23                   and harassment;

24                   “(C) includes education regarding relation-  
25                   ship communication skills, emotional health, ac-

1           countability, and well-being in relationships,  
2           and consent; and

3           “(D) includes education regarding healthy  
4           relationships, including the development of  
5           healthy attitudes and insights necessary for un-  
6           derstanding relationships between oneself, fam-  
7           ily, partners, others, and society, including  
8           skills on healthy self-esteem, and self-efficacy  
9           and stress management.

10          “(3) SEXUAL ASSAULT.—The term ‘sexual as-  
11          sault’ means any nonconsensual sexual act pro-  
12          scribed by Federal, State, or tribal law, including  
13          when a victim lacks capacity to consent.

14          “(4) SEXUAL HARASSMENT.—The term ‘sexual  
15          harassment’ means unwelcome conduct of a sexual  
16          nature, including unwelcome sexual advances, re-  
17          quests for sexual favors, and other verbal, nonverbal,  
18          or physical conduct of a sexual nature.

19          “(5) SEXUAL VIOLENCE.—The term ‘sexual vio-  
20          lence’ means physical sexual acts perpetrated  
21          against a person’s will or when or where a person  
22          is incapable of giving consent.

23          “(6) TEEN AND ADOLESCENT DATING VIO-  
24          LENCE.—The term ‘teen and adolescent dating vio-  
25          lence’ means—

1           “(A) violence committed by a person who  
2           is or has been in a social relationship of a ro-  
3           mantic or intimate nature with the victim; and

4           “(B) where the existence of such a rela-  
5           tionship shall be determined based on a consid-  
6           eration of factors, including—

7                   “(i) the length of the relationship;

8                   “(ii) the type of relationship; and

9                   “(iii) the frequency of interaction be-  
10           tween the persons involved in the relation-  
11           ship.

12 **“SEC. 5625. GRANTS AUTHORIZED.**

13           “(a) **AUTHORITY.**—The Secretary is authorized to  
14           award grants to local educational agencies in order to en-  
15           able such agencies—

16                   “(1) to provide professional development to  
17           school administrators, teachers, and staff in safe re-  
18           lationship behavior education and teaching and  
19           learning practices; and

20                   “(2) to provide educational programming and  
21           curricula that is age appropriate and develop-  
22           mentally and culturally appropriate for students re-  
23           garding safe relationship behavior education and  
24           training.



1 “(b) AWARD BASIS.—The Secretary is authorized to  
2 award grants under this section—

3 “(1) on a competitive basis; and

4 “(2) in a manner that ensures that such grants  
5 are equitably distributed among local educational  
6 agencies located in rural, urban, and suburban  
7 areas.

8 “(c) DURATION.—Grants awarded under this section  
9 shall be for a period of 4 years.

10 “(d) POLICY DISSEMINATION.—The Secretary shall  
11 disseminate to local educational agencies any Department  
12 policy guidance regarding safe relationship behavior train-  
13 ing and the promotion of safe and healthy relationships.

14 “(e) USE OF FUNDS.—Each local educational agency  
15 that receives a grant under this subpart shall use grant  
16 funds to develop and implement curricula for students  
17 that—

18 “(1) incorporate elements of effective and evi-  
19 dence-based or evidence-informed programs that in-  
20 clude—

21 “(A) safe relationship behavior training,  
22 including for the prevention of teen and adoles-  
23 cent dating violence, domestic abuse, and sexual  
24 violence and harassment; and

1           “(B) education about healthy relationships  
2           between oneself and family, others, and society;  
3           and

4           “(2) are age appropriate, developmentally ap-  
5           propriate, and culturally and linguistically appro-  
6           priate, reflecting the diverse circumstance and reali-  
7           ties of young people.

8           “(f) APPLICATION.—To be eligible for a grant under  
9 this section, a local educational agency shall submit an  
10 application to the Secretary at such time, in such manner,  
11 and containing such information as the Secretary may re-  
12 quire. Each application shall include a description of the  
13 local educational agency’s—

14           “(1) need for funds provided under this sub-  
15           part;

16           “(2) plan for implementing the activities de-  
17           scribed under subsection (e); and

18           “(3) measurable objectives for, and expected re-  
19           sults from, the use of funds provided by the grant  
20           under this subpart.

21           “(g) SELECTION OF GRANTEEES.—

22           “(1) IN GENERAL.—The Secretary shall deter-  
23           mine, based on the peer review process described in  
24           paragraph (3), which local educational agencies shall  
25           receive funding under this subpart, and the amount

1 of the grant funding under this subpart that each  
2 selected local educational agency will receive.

3 “(2) GRANT AMOUNTS.—In determining the  
4 amount of each grant awarded under this subpart,  
5 the Secretary shall take into account the total  
6 amount of funds available for all grants under this  
7 subpart and the types of activities proposed to be  
8 carried out by each local educational agency, in  
9 order to ensure that all grants are of sufficient size,  
10 scope, and quality to be effective.

11 “(3) PEER REVIEW PROCESS.—The Secretary  
12 shall convene a peer review committee to review ap-  
13 plications for grants under this subpart and to make  
14 recommendations to the Secretary regarding the se-  
15 lection of grantees.”.

16 **SEC. 3. GENERAL PROHIBITION.**

17 Section 9526(a)(3) of the Elementary and Secondary  
18 Education Act of 1965 (20 U.S.C. 7906(a)(3)) is amended  
19 by adding “and safe relationship behavior education (as  
20 defined in section 5624)” after “abstinence”.

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