
A BILL FOR AN ACT

RELATING TO EDUCATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The Children's Advocacy Centers of Illinois,
2 Illinois Coalition Against Sexual Assault, and Prevent Child
3 Abuse Illinois collaborated to create "Erin's Law". Erin Merryn
4 was raped and molested for six and a half years by a neighbor
5 and a family member. Erin began a crusade during her senior
6 year of high school in 2004 to end the silence and shame around
7 sexual abuse. Erin's Law has been passed in twenty-six states
8 and has been introduced in the legislative bodies of an
9 additional seventeen states. Erin's mission is to shatter the
10 silence and stigma around sexual abuse and to educate children
11 and empower them to recognize and to report abuse.

12 The legislature finds that schools fail to give young
13 students awareness of sexual abuse issues and a voice to report
14 if someone is violating them. Unfortunately, without such
15 education, most children who experience sexual abuse will be
16 repeatedly abused for years because often the only message they



1 receive comes from the abuser who is threatening them into
2 silence.

3 The purpose of this Act is to form a task force to guide
4 the establishment of a program to educate public school students
5 on sexual abuse prevention through use of age-appropriate
6 curricula; provide relevant training to school teachers and
7 staff; and inform parents about important child sexual abuse
8 topics.

9 SECTION 2. (a) There is established the Erin's Law task
10 force to be convened by the legislature to review current
11 policies, programs, and curricula for educating students in the
12 public school system about sexual abuse prevention, and to make
13 a report of recommendations for the establishment of a program
14 to educate all children in grades pre-kindergarten through
15 twelve in public schools on sexual abuse prevention through age
16 appropriate curricula.

17 (b) The task force shall comprise:

18 (1) The superintendent of education, who shall serve as
19 the chair of the task force, or the superintendent's
20 designee;

21 (2) The director of health, or the director's designee;



- 1 (3) The director of human services, or the director's
2 designee;
- 3 (4) The attorney general, or the attorney general's
4 designee;
- 5 (5) The executive director of the Hawaii Youth Services
6 Network, or the executive director's designee;
- 7 (6) The executive director of the Sex Abuse Treatment
8 Center, or the executive director's designee;
- 9 (7) A member of the keiki caucus of the legislature, to be
10 designated by the caucus;
- 11 (8) A member of the board of education, to be designated
12 by the chairperson of the board;
- 13 (9) The executive director of the state public charter
14 school commission, or the executive director's
15 designee;
- 16 (10) The director of the executive office on early
17 learning, or the director's designee;
- 18 (11) An elementary school principal and a secondary school
19 principal, to be designated by the superintendent of
20 education; and

1 (12) A teacher, to be designated by the superintendent of
2 education.

3 (c) The department of education may expand the task force
4 to include members of community organizations involved in
5 providing direct services addressing sexual abuse in elementary,
6 middle, intermediate, and high school aged children and youth in
7 Hawaii.

8 (d) Members of the task force shall serve without
9 compensation. No member shall be made subject to chapter 84,
10 Hawaii Revised Statutes, solely because of that member's
11 participation as a member of the task force.

12 (e) An initial meeting of the task force shall be held no
13 later than August 12, 2016.

14 (f) The task force shall review current policies,
15 programs, and curricula, and make recommendations for the
16 establishment of a program that:

17 (1) Educates children in grades pre-kindergarten through
18 twelve in public schools on sexual abuse prevention
19 through age-appropriate curriculum through role plays,
20 discussions, activities, and books;



1 (2) Gives children the tools to speak up and tell others
2 if anyone has ever touched them inappropriately,
3 rather than keep it a secret;

4 (3) Educates children on safe touch, unsafe touch, safe
5 secrets, and unsafe secrets, how to get away, and
6 reporting an incident immediately; and

7 (4) Provides strategies to identify victims of sex
8 trafficking in public schools and to assist in the
9 prevention of the sex trafficking of children.

10 (g) The task force shall consider the following concepts
11 and resources when reviewing current policies, programs, and
12 curricula and making recommendations for the establishment of
13 the program:

14 (1) Current resources available in the State for educating
15 students in the public school system about sexual
16 abuse prevention;

17 (2) Existing gaps in child sexual abuse prevention
18 education, including education, training, and
19 information, as needed, for students, school teachers
20 and staff, and parents and guardians;

21 (3) The Hawaii content and performance standards;



- 1 (4) Required elements for an instructional program for
2 students in grades pre-kindergarten through twelve,
3 including but not limited to:
- 4 (A) Techniques to teach children to recognize sexual
5 abuse, equip them with skills to reduce their
6 vulnerability, and encourage them to report the
7 abuse;
- 8 (B) At least four sessions of instruction to
9 reinforce the concepts learned in the program;
- 10 (C) Sessions conducted annually, building on skills
11 and knowledge learned in previous years;
- 12 (D) Developmentally appropriate instruction for each
13 grade level;
- 14 (E) Involvement of students as active learning
15 participants through methods such as discussion,
16 modeling, and role playing;
- 17 (F) Capacity to be delivered by a range of personnel
18 and professionals, including but not limited to
19 teachers, school counselors, and outside agency
20 prevention educators; provided that the personnel
21 and professionals should have a thorough



- 1 knowledge of child sexual abuse, including how to
2 respond appropriately to sexual abuse
3 disclosures;
- 4 (G) An evaluation component with measurable outcomes;
- 5 (H) Instruction that is culturally sensitive and
6 adaptable for use within varying school contexts,
7 including age, race, and special needs;
- 8 (I) The use of evidence-based, age-appropriate
9 curricula that uses discussions, role plays,
10 activities, books, or other appropriate
11 educational materials and methods;
- 12 (J) A professional training component for
13 administrators, teachers, and other school
14 personnel on talking to students about child
15 sexual abuse prevention, effects of child sexual
16 abuse on children, handling of sexual abuse
17 disclosures, and mandated reporting; and
- 18 (K) A component that encourages parent or guardian
19 involvement within the child sexual abuse
20 program, which should inform parents or guardians
21 about child sexual abuse topics, including



1 discussion of child sexual abuse myths,
2 characteristics of offenders, grooming behaviors,
3 and how to discuss this topic with children;

4 (5) Title IX and any other federal and state laws and
5 policies concerning public school systems' handling of
6 sexual violence issues, to the extent that they relate
7 to sexual abuse prevention education;

8 (6) Resources needed to implement a system-wide program
9 for child sexual abuse prevention education; and

10 (7) Updates to laws or policies that would assist in the
11 implementation of a statewide program for child sexual
12 abuse prevention education.

13 (h) The task force shall submit a report of its findings
14 and recommendations, including any proposed legislation, to the
15 legislature no later than twenty days prior to the convening of
16 the regular session of 2017. The task force shall also submit
17 its report directly to the chairs of the senate committee with
18 primary jurisdiction over education, house of representatives
19 committee with primary jurisdiction over education, senate
20 committee with primary jurisdiction over human services, and



1 house of representatives committee with primary jurisdiction
2 over human services.

3 (i) The department of education shall implement the
4 recommendations of the task force in the 2017-2018 school year;
5 provided that if the department of education determines that
6 implementation is not possible in the 2017-2018 school year, the
7 department of education shall immediately notify the chairs of
8 the senate committee with primary jurisdiction over education,
9 house of representatives committee with primary jurisdiction
10 over education, senate committee with primary jurisdiction over
11 human services, and house of representatives committee with
12 primary jurisdiction over human services.

13 (j) The task force shall cease to exist on June 30, 2018.

14 SECTION 3. There is appropriated out of the general
15 revenues of the State of Hawaii the sum of \$ or so much
16 thereof as may be necessary for fiscal year 2016-2017 for the
17 operation of the Erin's Law task force.

18 The sum appropriated shall be expended by the legislature
19 for the purposes of this Act.

20 SECTION 4. This Act shall take effect on January 7, 2059.

Report Title:

Education; Sexual Abuse Prevention; Erin's Law Task Force;
Appropriation

Description:

Creates and appropriates funds for the Erin's Law Task Force to guide the establishment of a program to educate public school students on sexual abuse prevention through use of age appropriate curricula, provide relevant training to school teachers and staff, and inform parents about important child sexual abuse topics. Sets out guidelines of instruction.
(SB2232 HD2)

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