
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 her senior year of
6 high school in 2004 to end the silence and shame around sexual
7 abuse. Erin's Law has been passed in twenty-six states with
8 more than seventeen states introducing it. Erin's mission is to
9 shatter the silence and stigma around sexual abuse, and to
10 educate children and empower them to recognize and to report
11 abuse.

12 The legislature finds that schools fail to give young
13 students awareness and a voice if someone is violating them.
14 Unfortunately, without being educated most children will be
15 repeatedly abused for years because often the only message they
16 get comes from their abuser threatening them into silence.

17 The purpose of this Act is to form a task force to guide
18 the establishment of a program to educate public school students



1 on sexual abuse prevention through use of age appropriate
2 curricula; provide relevant training to school teachers and
3 staff; and inform parents about important child sexual abuse
4 topics.

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

13 (b) The task force shall comprise:

14 (1) A deputy superintendent of the department of
15 education, who shall serve as the chair of the task
16 force, to be designated by the superintendent of
17 education;

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

19 (3) The director of human services, or the director's
20 designee;



- 1 (4) The attorney general, or the attorney general's
2 designee;
- 3 (5) The executive director of the Hawaii Youth Services
4 Network, or the director's designee;
- 5 (6) The executive director of the Sex Abuse Treatment
6 Center, or the director's designee;
- 7 (7) A member of the keiki caucus of the legislature, to be
8 designated by the caucus;
- 9 (8) A member of the board of education to be designated by
10 the chair of the board;
- 11 (9) The executive director of the Hawaii state charter
12 school commission, or the executive director's
13 designee; and
- 14 (10) The director of the executive office on early
15 learning, or the director's designee.
- 16 (c) The department of education may expand the task force
17 to include members of community organizations involved in
18 providing direct services addressing sexual abuse in elementary,
19 middle, intermediate, and high school aged children and youth in
20 Hawaii.



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

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

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

10 (1) Educates children in grades pre-kindergarten through
11 twelve in public schools on sexual abuse prevention
12 through age appropriate curriculum through role plays,
13 discussions, activities, and books;

14 (2) Gives children the tools to speak up and tell if
15 anyone has ever touched them inappropriately rather
16 than keep it a secret; and

17 (3) Educates children on safe touch, unsafe touch, safe
18 secrets, and unsafe secrets, how to get away, and
19 reporting an incident immediately.

20 (g) The task force shall consider the following concepts
21 and resources when reviewing current policies, programs, and



1 curricula and making recommendations for the establishment of
2 the program:

- 3 (1) Current resources available in the State for educating
4 students in the public school system about sexual
5 abuse prevention;
- 6 (2) Existing gaps in child sexual abuse prevention
7 education, including education, training, and
8 information, as needed, for students, school teachers
9 and staff, and parents and guardians;
- 10 (3) The Hawaii content and performance standards;
- 11 (4) Required elements for an instructional program for
12 students in grades pre-kindergarten through twelve,
13 including but not limited to:
- 14 (A) Techniques to teach children to recognize sexual
15 abuse, equip them with skills to reduce their
16 vulnerability, and encourage them to report the
17 abuse;
- 18 (B) At least four sessions of instruction to
19 reinforce the concepts learned in the program;
- 20 (C) Sessions conducted annually, building on skills
21 and knowledge learned in previous years;



- 1 (D) Developmentally appropriate instruction for each
2 grade level;
- 3 (E) Involvement of students as active learning
4 participants, through methods such as discussion,
5 modeling, and role playing;
- 6 (F) Capacity to be delivered by a range of personnel
7 and professionals, including but not limited to
8 teachers, school counselors, and outside agency
9 prevention educators; provided that the personnel
10 and professionals should have a thorough
11 knowledge of child sexual abuse, including how to
12 respond appropriately to sexual abuse
13 disclosures;
- 14 (G) An evaluation component with measurable outcomes;
- 15 (H) Instruction that is culturally sensitive and
16 adaptable for use within varying school contexts,
17 including age, race, and special needs;
- 18 (I) The use of evidence-based, age appropriate
19 curricula that uses discussions, role plays,
20 activities, books, or other appropriate
21 educational materials and methods;



- 1 (J) A professional training component for
- 2 administrators, teachers, and other school
- 3 personnel on talking to students about child
- 4 sexual abuse prevention, effects of child sexual
- 5 abuse on children, handling of sexual abuse
- 6 disclosures, and mandated reporting; and
- 7 (K) A component that encourages parental or guardian
- 8 involvement within the child sexual abuse
- 9 program, which should inform parents or guardians
- 10 about child sexual abuse topics, including
- 11 discussion of child sexual abuse myths,
- 12 characteristics of offenders, grooming behaviors,
- 13 and how to discuss this topic with children;
- 14 (5) Title IX and any other federal and state laws and
- 15 policies concerning public school systems' handling of
- 16 sexual violence issues, to the extent that they relate
- 17 to sexual abuse prevention education;
- 18 (6) Resources needed to implement a system wide program
- 19 for child sexual abuse prevention education; and



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

4 (h) The task force shall submit a report of its findings
5 and recommendations, including any proposed legislation, to the
6 legislature no later than twenty days prior to the convening of
7 the regular session of 2017. The task force shall also submit
8 its report directly to the chairs of the senate committee with
9 primary jurisdiction over education, house of representatives
10 committee with primary jurisdiction over education, senate
11 committee with primary jurisdiction over human services, and
12 house of representatives committee with primary jurisdiction
13 over human services.

14 (i) The department of education shall implement the
15 recommendations of the task force in the 2017-2018 school year;
16 provided that if the department of education determines that
17 implementation is not possible in the 2017-2018 school year, the
18 department of education shall immediately notify the chairs of
19 the senate committee with primary jurisdiction over education,
20 house of representatives committee with primary jurisdiction
21 over education, senate committee with primary jurisdiction over



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

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

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

8 The sum appropriated shall be expended by the legislature
9 for the purposes of this Act.

10 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. Modeled after Erin's Law. Takes effect on 1/7/2059. (SD2)

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