

JAN 22 2016

A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1 SECTION 1. The legislature finds that sexual abuse remains
2 a serious and ongoing threat to the safety, health, and
3 wellbeing of children and young people in the State of Hawaii.

4 Although programs and department of education-approved
5 curricula currently exist in the State to provide training to
6 school teachers and staff, and sexual abuse prevention education
7 to students, implementation is not consistent system wide, and
8 resources for the provision of training and education are
9 limited.

10 Consequently, students in Hawaii may not receive regular,
11 consistent child abuse prevention education, nor are parents
12 informed about child sexual abuse topics. In addition, many
13 school teachers and staff do not receive sufficient training on
14 talking to students about child sexual abuse prevention, the
15 effects of child sexual abuse on children, handling sexual abuse
16 disclosures, and mandated reporting.



1 Laws requiring that public school systems implement a
2 program of regular, consistent sexual abuse prevention education
3 for students; teacher and staff training; and parental
4 involvement, have passed in twenty-six states and the Territory
5 of Guam, and have been introduced in the legislatures of sixteen
6 others. These laws represent a national trend in safety,
7 health, and wellbeing education and are collectively referred to
8 as "Erin's Law" after an Illinois survivor of child sexual
9 abuse, Erin Merryn, who has led the national movement for
10 required programs for child sexual abuse prevention education.

11 The purpose of this Act is to form a task force to guide
12 the establishment of a program to educate public school students
13 on sexual abuse prevention through use of age appropriate
14 curricula; provide relevant training to school teachers and
15 staff; and inform parents about important child sexual abuse
16 topics.

17 SECTION 2. (a) There is established the Erin's Law task
18 force to be convened by the legislature to review current
19 policies, programs, and curricula for educating students in the
20 public school system about sexual abuse prevention, and to make
21 a report of recommendations for the establishment of a program



1 to educate all children in grades pre-kindergarten through
2 twelve in public schools on sexual abuse prevention through age
3 appropriate curricula.

4 (b) The task force shall comprise:

- 5 (1) A deputy superintendent of the department of
6 education, to be designated by the superintendent;
- 7 (2) The director of health, or the director's designee;
- 8 (3) The director of human Services, or the director's
9 designee;
- 10 (4) The attorney general, or the attorney general's
11 designee;
- 12 (5) The executive director of the Hawaii Youth Services
13 Network, or the director's designee;
- 14 (6) The executive director of the Sex Abuse Treatment
15 Center, or the director's designee;
- 16 (7) A member of the senate, to be designated by the senate
17 president;
- 18 (8) A member of the house of representatives, to be
19 designated by the speaker of the house of
20 representatives;



1 (9) A non-legislative member of the keiki caucus of the
2 legislature, to be designated by the caucus;

3 (10) A member of the board of education to be designated by
4 the chair of the board; and

5 (11) And the executive directors, or their designees, of
6 four additional community organizations involved in
7 providing direct services addressing sexual abuse in
8 elementary, intermediate, and high school aged
9 children and youth in Hawaii to be designated by the
10 task force conveners.

11 (c) The chairs of senate and house of representatives
12 committees on education shall serve as the co-chairs of the task
13 force.

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

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



1 (f) The task force shall consider the following concepts
2 when reviewing current policies, programs, and curricula and
3 making recommendations for the establishment of a program:

4 (1) Current resources available in the State for educating
5 students in the public school system about sexual
6 abuse prevention;

7 (2) Existing gaps in child sexual abuse prevention
8 education, including education, training, and
9 information, as needed, for students, school teachers
10 and staff, and parents and guardians;

11 (3) The Hawaii content and performance standards;

12 (4) Required elements for an instructional program for
13 students in grades pre-kindergarten through twelve,
14 including but not limited to:

15 (A) Techniques to teach children to recognize sexual
16 abuse, equip them with skills to reduce their
17 vulnerability, and encourage them to report the
18 abuse;

19 (B) At least four sessions of instruction to
20 reinforce the concepts learned in the program;



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



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



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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 (g) 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, and a follow-up report, including
 8 any additional proposed legislation, no later than twenty days
 9 prior to the convening of the regular session of 2018.

10 (h) The task force shall cease to exist on June 30, 2018.

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

15 The sum appropriated shall be expended by the legislature
 16 for the purposes of this Act.

17 SECTION 4. This Act shall take effect on July 1, 2016.

18

INTRODUCED BY:

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S.B. NO. 2235

Report Title:

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

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