

JAN 19 2018

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# 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           Sadly, one in four girls and one in six boys will be the  
5 victim of child sexual abuse by their eighteenth birthday.  
6 There are more than forty-two million survivors of child sexual  
7 abuse in the United States. This is a matter that is often kept  
8 silent and as a result, is left unaddressed. Most people do not  
9 even realize that this is a significant issue or that they are a  
10 victim. In almost every case, the only witnesses to this crime  
11 are the perpetrator and the victim. Perpetrators often tell the  
12 child this is a secret and no one will believe them. Children  
13 rarely report abuse and are meant to feel that the abuse was  
14 their fault. Most victims never tell anyone until several years  
15 after the abuse, if they ever tell at all.

16           Although programs and department of education-approved  
17 curricula currently exist in the State to provide training to



1 school teachers and staff, and sexual abuse prevention education  
2 to students, implementation is not consistent system wide, and  
3 resources for the provision of training and education are  
4 limited.

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

12       Laws requiring that public school systems implement a  
13 program of regular, consistent sexual abuse prevention education  
14 for students; teacher and staff training; and parental  
15 involvement, have passed in thirty-one states and the Territory  
16 of Guam, and have been introduced in the legislatures of fifteen  
17 others. These laws represent a national trend in safety,  
18 health, and wellbeing education and are collectively referred to  
19 as "Erin's Law" after an Illinois survivor of child sexual  
20 abuse, Erin Merryn, who has led the national movement for  
21 required programs for child sexual abuse prevention education.



1           The purpose of this Act is to require the department of  
2 education to establish and implement a program to:

- 3           (1) Educate public school students on sexual abuse  
4                prevention through age appropriate curricula;
- 5           (2) Provide relevant training to school teachers and  
6                staff; and
- 7           (3) Inform parents and guardians about important child  
8                sexual abuse topics.

9           SECTION 2. (a) The department of education shall  
10 establish a sexual abuse prevention education program to be  
11 implemented beginning with the 2019-2020 school year.

12 Implementation of the program shall include:

- 13           (1) A child abuse and child sexual abuse education program  
14                in pre-kindergarten through grade twelve that  
15                includes:
  - 16                (A) Developmentally appropriate and evidence-based  
17                    instruction for each grade level;
  - 18                (B) Instruction that is culturally sensitive and  
19                    adaptable for use within varying school contexts,  
20                    including age, race, and special needs;



- 1 (C) A minimum of one hour of instruction per school
- 2 year, building on skills and knowledge learned in
- 3 previous years;
- 4 (D) Age-appropriate curriculum that involves students
- 5 as active learning participants, through such
- 6 methods as discussion, modeling, and role
- 7 playing;
- 8 (E) Instruction that provides students with the
- 9 knowledge and tools to communicate incidents of
- 10 sexual abuse;
- 11 (F) Techniques to teach students to recognize child
- 12 sexual abuse, equip them with skills to reduce
- 13 their vulnerability, and encourage them to report
- 14 sexual abuse;
- 15 (G) A professional training component for
- 16 administrators, teachers, and other school
- 17 personnel on talking to students about child
- 18 sexual abuse prevention, effects of child sexual
- 19 abuse on children, handling of child sexual abuse
- 20 reports and disclosures, and mandated reporting;
- 21 and



- 1 (H) A component that encourages parental or guardian  
2 involvement that informs parents and guardians  
3 about child sexual abuse topics, including  
4 characteristics of offenders, grooming behaviors,  
5 and methods to discuss child sexual abuse  
6 prevention with their children;
- 7 (2) Child abuse and child sexual abuse response and  
8 reporting policies;
- 9 (3) Capacity to be delivered by a range of personnel and  
10 professionals, including but not limited to teachers,  
11 school counselors, and outside agency prevention  
12 educators; provided that the personnel and  
13 professionals should have a thorough knowledge of  
14 child sexual abuse, including how to respond  
15 appropriately to sexual abuse disclosures;
- 16 (4) An evaluation component with measurable outcomes; and
- 17 (5) Title IX and any other federal and state laws and  
18 policies concerning public school systems' handling of  
19 sexual violence issues, to the extent that they relate  
20 to sexual abuse prevention education.



1 (b) The department of education may contract with eligible  
2 non-profit or charitable organizations, private entities, or  
3 public entities to carry out the purposes of this Act.

4 (c) The department of education shall submit a report of  
5 its findings and recommendations, including any proposed  
6 legislation, to the legislature no later than twenty days prior  
7 to the convening of the regular sessions of 2019, 2020, and 2021  
8 on the status of the implementation of and nature of the child  
9 sexual abuse prevention education program.

10 SECTION 3. There is appropriated out of the general  
11 revenues of the State of Hawaii the sum of \$ or so  
12 much thereof as may be necessary for fiscal year 2018-2019 for  
13 implementation of the child sexual abuse prevention education  
14 program.

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

17 SECTION 4. This Act shall take effect on July 1, 2018.

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INTRODUCED BY:

*Jin*  
*Ross H. Baker*



# S.B. NO. 2368

**Report Title:**

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

**Description:**

Requires the department of education to establish and implement a program to educate public school students on sexual abuse prevention through age appropriate curricula; provide relevant training to school teachers and staff; and inform parents about important child sexual abuse topics. Requires reports to the legislature on the status of implementation. Makes an appropriation.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

