
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 well-
3 being 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 been passed in thirty-one states and the
16 Territory of Guam, and have been introduced in the legislatures
17 of fifteen others. These laws represent a national trend in
18 safety, health, and well-being education and are collectively
19 referred to as "Erin's Law" after an Illinois survivor of child
20 sexual 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;
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) Instruction that provides students with the
5 knowledge and tools to communicate incidents of
6 sexual abuse;
- 7 (E) Techniques to teach students to recognize child
8 sexual abuse, equip them with skills to reduce
9 their vulnerability, and encourage them to report
10 sexual abuse;
- 11 (F) A professional training component for
12 administrators, teachers, and other school
13 personnel on talking to students about child
14 sexual abuse prevention, effects of child sexual
15 abuse on children, handling of child sexual abuse
16 reports and disclosures, and mandated reporting;
17 and
- 18 (G) A component that encourages parental or guardian
19 involvement that informs parents and guardians
20 about child sexual abuse topics, including
21 characteristics of offenders, grooming behaviors,



1 and methods to discuss child sexual abuse

2 prevention with their children;

3 (2) Child abuse and child sexual abuse response and
4 reporting policies;

5 (3) Capacity to be delivered by a range of personnel and
6 professionals, including teachers, school counselors,
7 and outside agency prevention educators; provided that
8 the personnel and professionals shall have a thorough
9 knowledge of child sexual abuse, including how to
10 respond appropriately to sexual abuse disclosures;

11 (4) An evaluation component with measurable outcomes; and

12 (5) Title IX and any other federal and state laws and
13 policies concerning public school systems' handling of
14 sexual violence issues, to the extent that they relate
15 to sexual abuse prevention education.

16 (b) The department of education may contract with eligible
17 nonprofit or charitable organizations, private entities, or
18 public entities to carry out the purposes of this Act.

19 (c) The board of education shall adopt board policies to
20 effectuate the sexual abuse prevention education program



1 established pursuant to this section, which the department of
2 education shall be required to implement.

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

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

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

15 SECTION 4. This Act shall take effect on July 1, 2050.



Report Title:

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

Description:

Requires the Department of Education to establish and implement a Sexual Abuse Prevention Education Program to educate public school students on sexual abuse prevention, provide relevant training to school teachers and staff, and inform parents and guardians about important child sexual abuse topics. Requires the Board of Education to adopt policies to effectuate the Program. Requires the DOE to submit reports of its findings and recommendations to the Legislature on prior to the 2019, 2020, and 2021 Regular Sessions on the status of implementing the Program. Appropriates funds. (SB2368 HD1)

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