

JAN 19 2018

S.B. NO. 2542

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.

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 well-being education and are collectively referred
8 to as "Erin's Law" after Erin Merryn, an Illinois survivor of
9 child sexual abuse, who has led the national movement for
10 required programs for child sexual abuse prevention education.
11 Ms. Merryn has succeeded to date in getting bills passed in
12 thirty-one states to require schools to teach personal body
13 safety once a year to students in grades kindergarten through
14 twelve. The program educates students on the difference between
15 safe and unsafe touches, and safe and unsafe secrets.

16 The purpose of this Act is to form a task force to guide
17 the establishment of a program to educate public school students
18 on sexual abuse prevention through use of age appropriate
19 curricula, provide relevant training to school teachers and
20 staff, and inform parents about important child sexual abuse
21 topics.



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

9 (b) The task force shall comprise:

10 (1) The superintendent, or the superintendent's designee;

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

12 (3) The director of human services, or the director's
13 designee;

14 (4) The attorney general, or the attorney general's
15 designee;

16 (5) The director of the executive office on early
17 learning, or the director's designee;

18 (6) The executive director of the Hawaii Youth Services
19 Network, or the executive director's designee;

20 (7) The executive director of the Sex Abuse Treatment
21 Center, or the executive director's designee;



(8) The chairperson of the senate standing committee with primary jurisdiction over education, or the chairperson's designee;

(9) The chairperson of the house of representatives standing committee with primary jurisdiction over education, or the chairperson's designee;

(10) A representative of Planned Parenthood;

(11) An elementary school principal and a secondary school principal, to be designated by the superintendent; and

(12) A representative from a charter school, to be designated by the executive director of the state public charter school commission.

(c) The superintendent or superintendent's designee shall serve as the chairperson of the task force.

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

(e) The initial meeting of the task force shall be held no later than August 10, 2018.



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 sex
6 trafficking and sexual abuse prevention;

7 (2) Existing gaps in child sex trafficking and sexual
8 abuse prevention education, including education,
9 training, and information, as needed, for students,
10 school teachers 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:

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) Sessions of instruction to reinforce the concepts
20 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 teachers, school
10 counselors, and outside agency prevention
11 educators; provided that the personnel and
12 professionals should have a thorough knowledge of
13 child sexual abuse, including how to respond
14 appropriately to sexual abuse disclosures;
- 15 (G) An evaluation component with measurable outcomes;
- 16 (H) Instruction that is culturally sensitive and
17 adaptable for use within varying school contexts,
18 including age, race, and special needs;
- 19 (I) The use of evidence based, age appropriate
20 curricula that use discussions, role plays,



activities, books, or other appropriate

educational materials and methods;

(J) A professional training component for

administrators, teachers, and other school

personnel on talking to students about child

sexual abuse prevention, effects of child sexual

abuse on children, handling of sexual abuse

disclosures, and mandated reporting; and

(K) A component that encourages parental or guardian

involvement within the child sexual abuse

program, which should inform parents or guardians

about child sexual abuse topics, including

discussion of child sexual abuse myths,

characteristics of offenders, grooming behaviors,

and how to discuss this topic with children;

(5) Title IX and any other federal and state laws and

policies concerning public school systems' handling of

sexual violence issues, to the extent that they relate

to sexual abuse prevention education;

(6) Resources needed to implement a systemwide program for

child sexual abuse prevention education; and



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

(g) The task force shall submit a report of its findings and recommendations, including any proposed legislation, to the legislature no later than twenty days prior to the convening of the regular session of 2019, and a follow-up report, including any additional proposed legislation, no later than twenty days prior to the convening of the regular session of 2020.

(h) The task force shall cease to exist on June 30, 2020.

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$ or so much thereof as may be necessary for fiscal year 2018-2019 for the operations of the Erin's law task force.

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

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

INTRODUCED BY:

Josh Green
Breene Hahn
Randy H. Park
Will Evers



S.B. NO. 2542

Report Title:

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

Description:

Creates and appropriates funds for the Erin's Law Task Force to review policies, programs, and curricula for educating public school students about sexual abuse and sex trafficking prevention, and report recommendations for the establishment of a program to educate public school children on sexual abuse prevention through age appropriate curricula.

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