

MAR 08 2024

SENATE RESOLUTION

REQUESTING THE DEPARTMENT OF EDUCATION TO CONVENE THE ERIN'S LAW
TASK FORCE.

1 WHEREAS, sexual violence remains a serious and ongoing
2 threat to the safety, health, and well-being of children and
3 young people in the State; and
4

5 WHEREAS, the National Sexual Violence Resource Center
6 defines sexual violence as any type of unwanted sexual contact,
7 whether by force, manipulation, or coercion; and
8

9 WHEREAS, at least one in five girls and one in twenty boys
10 in the United States is a victim of child sexual abuse; and
11

12 WHEREAS, self-report studies show that twenty percent of
13 adult females and five to ten percent of adult males recall a
14 childhood sexual assault or other incident of sexual abuse; and
15

16 WHEREAS, according to the Hawaii Youth Risk Behavior
17 Surveys for 2013, 2015, and 2017, high school-aged public school
18 students in the State report experiencing forms of sexual
19 violence in childhood and their immediate past at a higher rate
20 than their national peers; and
21

22 WHEREAS, sexual violence experienced by children is often
23 kept silent; and
24

25 WHEREAS, child victims are routinely made to feel ashamed
26 or blameworthy and are not equipped to seek help or protect
27 themselves from further violence; and
28

29 WHEREAS, in many cases, the only witnesses to sexual
30 violence are the perpetrator and the victim; and
31

32 WHEREAS, survivors of sexual abuse often do not disclose
33 the abuse for decades or longer; and
34



1 WHEREAS, presently, programs and curricula approved by the
2 Department of Education provide sexual violence prevention
3 education to students and training for school staff; and
4

5 WHEREAS, however, existing sexual violence prevention
6 programming has few resources and is inconsistent, creating gaps
7 in awareness and education for students, parents, staff, and the
8 greater educational community; and
9

10 WHEREAS, "Erin's Law" is a piece of legislation named after
11 Erin Merryn, a survivor of child sexual abuse who has led a
12 national movement to require programs for sexual violence
13 prevention education in public school systems; and
14

15 WHEREAS, "Erin's Law" requires that public school systems
16 implement a program of consistent sexual violence prevention
17 education for students and related education and training for
18 teachers, school staff, and parents; and
19

20 WHEREAS, Hawaii is among fourteen remaining states that
21 have not yet passed "Erin's Law"; and
22

23 WHEREAS, establishment of a consistent, systemwide child
24 sexual violence prevention education in public schools will
25 create an informed educational community and safer learning
26 environment for all keiki; now, therefore,
27

28 BE IT RESOLVED by the Senate of the Thirty-second
29 Legislature of the State of Hawaii, Regular Session of 2024,
30 that the Department of Education is requested to convene the
31 Erin's Law Task Force; and
32

33 BE IT FURTHER RESOLVED that the Erin's Law Task Force is
34 requested to:
35

- 36 (1) Research and review policies, programs, and curricula
37 for educating students in the public school system
38 about child sexual violence prevention; and
39
40 (2) Report recommendations for the establishment of a
41 program to educate all children in prekindergarten
42 through grade twelve in public schools regarding child



1 sexual violence prevention through age-appropriate
2 curricula; and

3
4 BE IT FURTHER RESOLVED that the Erin's Law Task Force is
5 requested to comprise the following members:

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7 (1) The Superintendent of Education, or the
8 Superintendent's designee, who is requested to serve
9 as Chairperson;
- 10
11 (2) The Director of Health, or the Director's designee;
- 12
13 (3) The Director of Human Services, or the Director's
14 designee;
- 15
16 (4) The Attorney General or the Attorney General's
17 designee;
- 18
19 (5) The Director of the Executive Office on Early
20 Learning, or the Director's designee;
- 21
22 (6) A legislator designated by the co-conveners of the
23 Keiki Caucus of the Legislature;
- 24
25 (7) An elementary school principal, to be designated by
26 the Superintendent of Education;
- 27
28 (8) A secondary school principal, to be designated by the
29 Superintendent of Education;
- 30
31 (9) A representative from a charter school, to be
32 designated by the Executive Director of the State
33 Public Charter School Commission; and
- 34
35 (10) The Executive Director of the Hawaii State Commission
36 on the Status of Women, or the Executive Director's
37 designee; and

38
39 BE IT FURTHER RESOLVED that the Superintendent of Education
40 is requested to invite the following individuals to become
41 members of the Task Force:



- 1 (1) The Executive Director of the Hawaii Youth Services
2 Network, or the Executive Director's designee;
- 3
- 4 (2) The Executive Director of the Sex Abuse Treatment
5 Center, or the Executive Director's designee;
- 6
- 7 (3) An anti-sex trafficking service provider designated by
8 the Sex Abuse Treatment Center;
- 9
- 10 (4) A representative from Planned Parenthood; and
- 11
- 12 (5) A public school teacher, to be designated by the
13 Hawaii State Teachers Association; and
- 14

15 BE IT FURTHER RESOLVED that the initial meeting of the Task
16 Force is requested to commence no later than August 10, 2024;
17 and

18

19 BE IT FURTHER RESOLVED that the Task Force is requested to
20 consider the following when researching and reviewing current
21 policies, programs, and curricula and making recommendations for
22 the establishment of a program:

- 23
- 24 (1) Current resources available in the State for educating
25 students in the public school system about sexual
26 violence prevention;
- 27
- 28 (2) Existing gaps in addressing sexual violence
29 experienced by children, including prevention,
30 education, training, and awareness, as needed, for
31 students, teachers, school staff, parents, and
32 guardians;
- 33
- 34 (3) The Hawaii content and performance standards III;
- 35
- 36 (4) Required elements for an instructional program for
37 students in prekindergarten through grade twelve,
38 including:
 - 39
 - 40 (A) Techniques to teach children to recognize sexual
41 violence, equip them with skills to reduce their



- 1 vulnerability, and encourage them to report any
2 experience of sexual violence;
- 3
- 4 (B) Developmentally appropriate instruction for each
5 grade level;
- 6
- 7 (C) Involvement of students as active learning
8 participants, through such methods as discussion,
9 modeling, and role playing;
- 10
- 11 (D) Sessions of instruction to reinforce the concepts
12 learned in the program;
- 13
- 14 (E) Sessions conducted annually, building on skills
15 and knowledge learned in previous years;
- 16
- 17 (F) Capacity to be delivered by a range of personnel
18 and professionals, including teachers, school
19 counselors, and outside agency prevention
20 educators; provided that the personnel and
21 professionals should have a thorough knowledge of
22 sexual violence experienced by children,
23 including how to respond appropriately to
24 disclosures made by children;
- 25
- 26 (G) An evaluation component with measurable outcomes;
- 27
- 28 (H) Instruction that is culturally sensitive and
29 adaptable for use within varying school contexts,
30 including age, race, and special needs;
- 31
- 32 (I) Informed, age-appropriate curricula utilizing
33 discussions, role plays, activities, books, or
34 other appropriate educational materials and
35 methods;
- 36
- 37 (J) A professional training component for
38 administrators, teachers, and other school
39 personnel on talking to students about sexual
40 violence prevention, effects of sexual violence
41 on children, handling of disclosures made by
42 children, and mandated reporting; and



1 (K) A component that encourages parental or guardian
 2 involvement within the sexual violence prevention
 3 education program and informs parents or
 4 guardians about topics concerning sexual violence
 5 against children, including discussion of sexual
 6 violence myths, characteristics of offenders,
 7 grooming behaviors, and how to discuss this topic
 8 with children;
 9

10 (5) Title IX and any other federal and state laws and
 11 policies concerning a public school system's handling
 12 of sexual violence issues, to the extent that they
 13 relate to sexual violence prevention education;
 14

15 (6) Resources necessary to implement a systemwide program
 16 for sexual violence prevention education;
 17

18 (7) Updates to existing laws or policies that may assist
 19 in the implementation of a statewide program for
 20 sexual violence prevention education; and
 21

22 (8) The prevention of sex trafficking; and
 23

24 BE IT FURTHER RESOLVED that the Erin's Law Task Force is
 25 requested to adhere to chapter 92, Hawaii Revised Statutes, for
 26 the purposes of:
 27

28 (1) Compliance with the Health Insurance Portability and
 29 Accountability Act;
 30

31 (2) Protecting minors;
 32

33 (3) Preventing interference with any ongoing or potential
 34 investigation; and
 35

36 (4) Complying with any state or federal law;
 37

38 provided that the testimony of any minor before the task force
 39 is urged to be taken during an executive meeting that is closed
 40 to the public; and
 41



1 BE IT FURTHER RESOLVED that, following the testimony of a
2 minor presented to the Erin's Law Task Force, the Chairperson of
3 the Task Force is requested to summarize the testimony of the
4 minor at an open meeting; provided that the summary does not:

- 5
6 (1) Disclose personal identifying information of the
7 minor;
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9 (2) Disclose protected health information;
10
11 (3) Violate any state or federal law; or
12
13 (4) Provide any information that may interfere with any
14 ongoing or potential investigation; and
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16 BE IT FURTHER RESOLVED that the Erin's Law Task Force, with
17 administrative support from the Department of Education, is
18 requested to submit a report of its findings and
19 recommendations, including any proposed legislation, to the
20 Legislature no later than twenty days prior to the convening of
21 the Regular Session of 2025; and
22

23 BE IT FURTHER RESOLVED that the Erin's Law Task Force, with
24 administrative support from the Department of Education, is
25 requested to submit a follow-up report to the Legislature,
26 including any additional proposed legislation, no later than
27 twenty days prior to the convening of the Regular Session of
28 2026; and
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30 BE IT FURTHER RESOLVED that the Erin's Law Task Force is
31 requested to cease to exist on March 31, 2026; and
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33 BE IT FURTHER RESOLVED that certified copies of this
34 Resolution be transmitted to the Superintendent of Education;
35 Director of Health; Director of Human Services; Attorney
36 General; Director of the Executive Office on Early Learning; Co-
37 Conveners of the Keiki Caucus; Executive Director of the State
38 Public Charter School Commission; Executive Director of the
39 Hawaii State Commission on the Status of Women; President of the
40 Hawaii State Teachers Association; Executive Director of the
41 Hawaii Youth Services Network; Executive Director of the Sex



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1 Abuse Treatment Center; and Chief Executive Officer of Planned
2 Parenthood Great Northwest, Hawaii, Alaska, Indiana, Kentucky.

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OFFERED BY:



