
Education Committee

HB 1539

Brief Description: Regarding a curriculum for the prevention of sexual abuse of students.

Sponsors: Representatives McCabe, Orwall, Griffey, Caldier, Senn, Dent, Gregerson, Smith, Kraft, Doglio and Kagi.

Brief Summary of Bill

- Establishes the Erin's Law Legislative Task Force (Task Force) and directs it to adopt a model curriculum for the prevention of sexual abuse of students in kindergarten through grade 12.
- Specifies the legislator and non-legislator composition of the Task Force.
- Specifies requirements for the model curriculum to be adopted, including being evidence-based, age-appropriate, and culturally sensitive.
- Requires the Office of the Superintendent of Public Instruction to post the adopted model curriculum on its web site.

Hearing Date: 1/16/18

Staff: Ethan Moreno (786-7386).

Background:

Erin's Law Bills.

Named after childhood sexual abuse survivor and activist Erin Merryn, the first Erin's Law bill was enacted in 2011 in Illinois. Among other provisions, the legislation established a Task Force on the Prevention of Sexual Abuse of Children and authorized school boards to adopt and implement policies addressing the sexual abuse of children. Thirty-one states have enacted Erin's Law bills.

According to the Erin's Law organization, Erin's Law legislation requires that all public schools in each state implement a prevention-oriented child sexual abuse program that teaches:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

- students in pre-kindergarten through grade 12, age-appropriate techniques to recognize child sexual abuse and to tell a trusted adult;
- school personnel about child sexual abuse;
- parents and guardians the warning signs of child sexual abuse; and
- needed assistance, referral or resource information to support sexually abused children and their families.

Office of the Superintendent of Public Instruction.

In addition to its constitutional charge of supervising all matter pertaining to public schools, the Superintendent of Public Instruction (SPI) and its office has numerous and broad responsibilities prescribed in statute, including:

- making rules and regulations necessary for the administration of public education requirements;
- preparing courses of study and other materials and books for the discharge of education duties;
- fulfilling financial responsibilities, including distributing legislatively allocated funds to districts for the operation of the public school system, and awarding numerous state and federally funded grants; and
- satisfying numerous reporting and other duties assigned by the Legislature.

Student Emotional or Behavioral Distress Plans.

School districts are required to adopt plans for the recognition, initial screening, and response to emotional or behavioral distress in students, including but not limited to, indicators of possible substance abuse, violence, youth suicide, and sexual abuse. School districts must provide the plan to all district staff each year.

The plan must satisfy numerous minimum content requirements, including addressing:

- identification of training opportunities in recognition, screening, and referral that may be available for staff;
- how staff should respond to suspicions, concerns, or warning signs of emotional or behavioral distress in students;
- protocols and procedures for communication with parents and guardians; and
- how staff should respond when allegations of sexual contact or abuse are made against a staff member, a volunteer, or a parent, guardian, or family member of the student.

In adopting the plan, school districts may consider a model school district plan developed at the direction of the Legislature by the Office of the Superintendent of Public Instruction (OSPI) and the School Safety Center Advisory Committee.

Summary of Bill:

The Erin's Law Legislative Task Force (Task Force) is established for the purpose of adopting a model curriculum for the prevention of sexual abuse of students in kindergarten through grade 12. In addition to adopting the model curriculum, the Task Force must identify funding sources that may be used by school districts choosing to implement a curriculum for the prevention of sexual abuse of students that meets specified requirements, and report its findings and recommendations to the Governor, the SPI, and the appropriate committees of the House of Representatives and the Senate by December 1, 2017.

The model curriculum, which may be developed in whole or part by the Task Force or selected from existing curricula, must:

- be evidence-based;
- be age-appropriate and culturally sensitive;
- include a professional training component for administrators, teachers, and other school staff on talking to students about child sexual abuse prevention, the effects of sexual abuse on children, handling disclosures, and mandatory reporting;
- include a component that encourages parental involvement in child sexual abuse prevention; and
- allow school districts the flexibility to determine when and how the curriculum is offered to students.

The OSPI must make the adopted model curriculum available on its website.

The Task Force is to be comprised of:

- one member from each of the two largest caucuses of the House of Representatives, appointed by the Speaker of the House of Representatives;
- one member from each of the two largest caucuses of the Senate, appointed by the leaders of the two largest caucuses of the Senate;
- the SPI or the Superintendent's designee;
- the Chair of the State Board of Education or the Chair's designee;
- the Director of the Department of Early Learning or the Director's designee;
- the Attorney General or the Attorney General's designee;
- one representative of a state association of principals;
- one teacher selected by the largest union of teachers in the state;
- one teacher selected by the OSPI;
- one curriculum development expert selected by the OSPI;
- one representative of a state association of school counselors;
- one victim advocate representing sexual assault victims; and
- two survivors of sexual assault.

Governance and staffing provisions for the Task Force are established. The Task Force must choose its co-chairs from among its legislative membership. The member from the minority caucus of the House of Representatives is directed to convene the initial meeting of the Task Force, and all members of the Task Force are voting members. Additionally, subject to approval by a majority of the legislative members on the Task Force and in accordance with qualification requirements, the Task Force may invite up to two additional persons to serve on the Task Force. Staff support for the Task Force must be provided by Senate Committee Services and the House of Representative's Office of Program Research.

All provisions establishing and governing the Task Force expire January 31, 2018.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.