

Effective 9/1/2022

53G-9-207 Child sexual abuse prevention.

- (1) As used in this section, "school personnel" means the same as that term is defined in Section 53G-9-203.
- (2) The state board shall approve, in partnership with the Department of Human Services, age-appropriate instructional materials for the training and instruction described in Subsections (3) (a) and (4).
- (3)
 - (a) A school district or charter school shall provide, every other year, training and instruction on child sexual abuse and human trafficking prevention and awareness to:
 - (i) school personnel in elementary and secondary schools on:
 - (A) responding to a disclosure of child sexual abuse in a supportive, appropriate manner;
 - (B) identifying children who are victims or may be at risk of becoming victims of human trafficking or commercial sexual exploitation; and
 - (C) the mandatory reporting requirements described in Sections 53E-6-701 and 80-2-602; and
 - (ii) parents of elementary school students on:
 - (A) recognizing warning signs of a child who is being sexually abused or who is a victim or may be at risk of becoming a victim of human trafficking or commercial sexual exploitation; and
 - (B) effective, age-appropriate methods for discussing the topic of child sexual abuse with a child.
 - (b) A school district or charter school shall use the instructional materials approved by the state board under Subsection (2) to provide the training and instruction to school personnel and parents under Subsection (3)(a).
- (4)
 - (a) In accordance with Subsections (4)(b) and (5), a school district or charter school may provide instruction on child sexual abuse and human trafficking prevention and awareness to elementary school students using age-appropriate curriculum.
 - (b) A school district or charter school that provides the instruction described in Subsection (4) (a) shall use the instructional materials approved by the state board under Subsection (2) to provide the instruction.
- (5)
 - (a) An elementary school student may not be given the instruction described in Subsection (4) unless the parent of the student is:
 - (i) notified in advance of the:
 - (A) instruction and the content of the instruction; and
 - (B) parent's right to have the student excused from the instruction;
 - (ii) given an opportunity to review the instructional materials before the instruction occurs; and
 - (iii) allowed to be present when the instruction is delivered.
 - (b) Upon the written request of the parent of an elementary school student, the student shall be excused from the instruction described in Subsection (4).
 - (c) Participation of a student requires compliance with Sections 53E-9-202 and 53E-9-203.
- (6) A school district or charter school may determine the mode of delivery for the training and instruction described in Subsections (3) and (4).
- (7) Upon request of the state board, a school district or charter school shall provide evidence of compliance with this section.

Amended by Chapter 335, 2022 General Session