

**Representative Angela Romero** proposes the following substitute bill:

**CHILD SEXUAL ABUSE PREVENTION**

2014 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Angela Romero**

Senate Sponsor: J. Stuart Adams

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**LONG TITLE**

**General Description:**

This bill enacts provisions relating to child sexual abuse prevention training and instruction in public schools.

**Highlighted Provisions:**

This bill:

- ▶ adopts certain recommendations of Illinois's Erin's Law Task Force;
- ▶ requires the State Board of Education, in partnership with ~~H~~→ [certain entities] the

Department of Human Services ←~~H~~ , to

approve instructional materials for child sexual abuse prevention and awareness training and instruction;

- ▶ requires a school district or charter school to use the instructional materials approved by the State Board of Education to provide child sexual abuse prevention and awareness training and instruction to:

- school personnel; and
- the parents or guardians of elementary school students;

- ▶ provides that a school district or charter school may provide child sexual abuse prevention and awareness instruction to elementary school students subject to certain requirements; and

- ▶ requires the State Board of Education to report to the Education Interim Committee.



26 **Money Appropriated in this Bill:**

27 None

28 **Other Special Clauses:**

29 None

30 **Utah Code Sections Affected:**

31 ENACTS:

32 **53A-13-112**, Utah Code Annotated 1953



34 *Be it enacted by the Legislature of the state of Utah:*

35 Section 1. Section **53A-13-112** is enacted to read:

36 **53A-13-112. Child sexual abuse prevention.**

37 (1) As used in this section, "school personnel" is as defined in **53A-11-605**.

38 (2) On or before July 1, 2015, the State Board of Education shall approve, in  
39 partnership with the Department of Human Services ~~H→ [and nonprofit organizations specializing in~~  
40 ~~child sexual abuse prevention]~~ ←H , age-appropriate instructional materials for the training and  
41 instruction described in Subsections (3)(a) and (4).

42 (3) (a) Beginning in the 2016-17 school year, a school district or charter school shall  
43 provide training and instruction on child sexual abuse prevention and awareness to:

44 (i) school personnel in elementary and secondary schools on:

45 (A) responding to a disclosure of child sexual abuse in a supportive, appropriate  
46 manner; and

47 (B) the mandatory reporting requirements described in Sections **53A-6-502** and  
48 **62A-4a-403**; and

49 (ii) parents or guardians of elementary school students on:

50 (A) recognizing warning signs of a child who is being sexually abused; and

51 (B) effective, age-appropriate methods for discussing the topic of child sexual abuse  
52 with a child.

53 (b) A school district or charter school shall use the instructional materials approved by  
54 the State Board of Education under Subsection (2) to provide the training and instruction to  
55 school personnel and parents or guardians under Subsection (3)(a).

56 (4) (a) In accordance with Subsections (4)(b) and (5), a school district or charter school

57 may provide instruction on child sexual abuse prevention and awareness to elementary school  
 58 students using age-appropriate curriculum.

59 (b) Beginning in the 2016-17 school year, a school district or charter school that  
 60 provides the instruction described in Subsection (4)(a) shall use the instructional materials  
 61 approved by the board under Subsection (2) to provide the instruction.

62 (5) (a) An elementary school student may not be given the instruction described in  
 63 Subsection (4) unless the parent or guardian of the student is:

64 (i) notified in advance of the:

65 (A) instruction and the content of the instruction; and

66 (B) parent or guardian's right to have the student excused from the instruction;

67 (ii) given an opportunity to review the instructional materials before the instruction  
 68 occurs; and

69 (iii) allowed to be present when the instruction is delivered.

70 (b) Upon the written request of the parent or guardian of an elementary school student,  
 71 the student shall be excused from the instruction described in Subsection (4).

71a **§→** (c) Participation of a student requires compliance with Sections 53A-13-301 and

71b 53A-13-302. ←§

72 (6) A school district or charter school may ~~H→~~ [:

73 —— ~~(a)] ←H determine the mode of delivery for the training and instruction described in~~  
 74 Subsections (3) and (4) ~~H→~~ [; and

75 —— ~~(b) partner with a nonprofit organization to provide the training and instruction] ←H .~~

76 (7) (a) The State Board of Education shall report to the Education Interim Committee  
 77 on the progress of the provisions of this section by the committee's November 2017 meeting.

78 (b) Upon request of the State Board of Education, a school district or charter school  
 79 shall provide to the State Board of Education information that is necessary for the report  
 80 required under Subsection (7)(a).