

CHILD SEXUAL ABUSE PREVENTION

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Angela Romero

Senate Sponsor: J. Stuart Adams

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 the Department of Human Services, 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.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

30 **Utah Code Sections Affected:**

31 ENACTS:

32 [53A-13-112](#), Utah Code Annotated 1953

33

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 Section [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, age-appropriate instructional materials for
40 the training and instruction described in Subsections (3)(a) and (4).

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

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

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

46 (B) the mandatory reporting requirements described in Sections [53A-6-502](#) and
47 [62A-4a-403](#); and

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

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

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

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

55 (4) (a) In accordance with Subsections (4)(b) and (5), a school district or charter school
56 may provide instruction on child sexual abuse prevention and awareness to elementary school
57 students using age-appropriate curriculum.

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

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

63 (i) notified in advance of the:

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

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

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

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

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

71 (c) Participation of a student requires compliance with Sections [53A-13-301](#) and
72 [53A-13-302](#).

73 (6) A school district or charter school may determine the mode of delivery for the
74 training and instruction described in Subsections (3) and (4).

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

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