

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

53G-9-207, as last amended by Laws of Utah 2022, Chapter 335

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

Section 1. Section **53G-9-207** is amended to read:

53G-9-207. Child sexual abuse prevention.

(1) As used in this section[;];

(a) (i) "Age-appropriate instructional material" means material that provide instruction on;

(A) the responsibility of adults for the safety of children;

(B) how to recognize uncomfortable inner feelings;

(C) how to say no and leave an uncomfortable situation;

(D) how to set clear boundaries; and

(E) the importance of discussing uncomfortable situations with parents and other trusted adults.

(ii) "Age-appropriate instructional material" does not include material that:

(A) invites a student to share personal experiences about abuse during instruction;

(B) gives instruction regarding consent as described in Section 76-5-406; or

(C) includes sexually explicit language or depictions.

(b) "Alternative provider" means a provider other than the provider selected by the state board under Subsection (8) that provides the training and instruction described in

~~§→ [Subsections (3)(a)] Subsection~~ ~~←§~~ ~~§→ [and] ←§~~ (4) with instructional materials approved under

Subsection (2).

(c) [~~"school"~~] "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 ~~§→~~ **Health and** ~~←§~~ **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]~~ An LEA 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]~~ An LEA:

(i) 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]~~

Subsections (3)(a) and (4); or

(ii) may use instructional materials the LEA creates to provide the instruction and training described in Subsections (3)(a) and (4), if the LEA's instructional materials are approved by the state board under Subsection (2).

(4) (a) In accordance with Subsections (4)(b) and (5), ~~[a school district or charter school]~~ an LEA 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]~~ An LEA 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]~~ An LEA 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]~~ an LEA shall provide evidence of compliance with this section.

(8) The state board shall select a provider to provide the training and instruction described in ~~§→ [Subsections (3)(a) and]~~ Subsection ←§ (4), including requiring the provider selected to:

(a) engage in outreach efforts to support more schools to participate in the training and instruction;

(b) §→ [develop] provide ←§ materials for the instruction involving students in accordance with

Subsection (4);

(c) provide an outline of how many LEAs, schools, and students the provider could service; and

(d) submit a report to the state board that includes:

(i) information on the LEAs the provider engaged with in the outreach efforts, including:

(A) how many schools within an LEA increased instructional offerings for training and instruction; and

(B) the reasons why an LEA chose to participate or not in the offered training or instruction;

(ii) the number of schools and students that received the training and instruction;

(iii) budgetary information regarding how the provider utilized any funds the state board allocated; and

(iv) additional information the board requests.

(9) Subject to legislative appropriation, there is created a grant program to support an LEA that chooses to use an alternative provider other than the provider selected by the state board under Subsection (8) to provide the training and instruction described in ~~§~~→ [Subsections ~~(3)(a) and~~] Subsection ←§ (4).

(10) The state board shall:

(a) establish a process to select alternative providers for an LEA to use, including:

(i) an application process for a provider to become an alternative provider;

(ii) required criteria for a provider to become an alternative provider; and

(iii) relevant timelines;

(b) create a process for an LEA to receive a grant award described in Subsection (9), including:

(i) an application process;

(ii) relevant timelines; and

(iii) a scoring rubric and corresponding formula for determining a grant amount; and

(c) make grant awards on a first come first served basis until the state board distributes all appropriated funds.

(11) An LEA that receives a grant award described in Subsection (10)(b) shall:

(a) use the grant award to cover the costs needed for implementation of the training or instruction described in ~~§~~→ [Subsections ~~(3)(a) and~~] Subsection ←§ (4); and

(b) upon request of the state board, provide an itemized list of the uses of the grant award.

Section 2. FY 2025 Appropriation.

The following sums of money are appropriated for the fiscal year beginning July 1, 2024, and ending June 30, 2025. These are additions to amounts previously appropriated for fiscal year 2025.

Subsection 2(a). Operating and Capital Budgets.

Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the Legislature appropriates the following sums of money from the funds or accounts indicated for the use and support of the government of the state of Utah.

ITEM 1 To State Board of Education - Contracted Initiatives and Grants