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Legislative Document

No. 1180

H.P. 813

House of Representatives, April 1, 2015

An Act To Require Education in Public Preschool Programs and Elementary Schools Regarding Child Sexual Abuse

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative MAKER of Calais.
Cosponsored by Senator DIAMOND of Cumberland and
Representatives: LUCHINI of Ellsworth, NADEAU of Winslow, TUELL of East Machias,
TURNER of Burlington, WARD of Dedham, Senators: BAKER of Sagadahoc, BURNS of
Washington, HASKELL of Cumberland.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 20-A MRSA §254, sub-§18** is enacted to read:

3 **18. Model policies and technical assistance for instruction in health education;**
4 **child sexual abuse.** The commissioner shall develop model policies and a program of
5 technical assistance for child sexual abuse response policies and reporting procedures and
6 for age-appropriate instruction on child sexual abuse detection and prevention that may
7 be used as part of the basic course of study in elementary schools required by section
8 4711 for all students enrolled in kindergarten to grade 5 and the standards and best
9 practices for public preschool programs operated in compliance with chapter 203,
10 subchapter 3.

11 A. The commissioner, in consultation with the Department of Health and Human
12 Services, organizations that have expertise in child sexual abuse and organizations
13 representing school boards, administrators, teachers and parents, shall:

14 (1) Identify research and evidence-based model educational materials on child
15 sexual abuse; and

16 (2) Develop a model for child sexual abuse response policies and reporting
17 procedures.

18 B. Not later than March 1, 2016, the department shall make the model policies and
19 program developed or identified under this section available to assist elementary
20 schools with the implementation of:

21 (1) Child sexual abuse education programs in public preschool programs and
22 kindergarten to grade 5; and

23 (2) Child sexual abuse response policies and reporting procedures.

24 C. The model educational materials on child sexual abuse identified or developed
25 under paragraph A may include the following topics:

26 (1) Warning signs of a child who is being sexually abused;

27 (2) The basic principles of child sexual abuse prevention;

28 (3) Methods of student, teacher and parental education and outreach; and

29 (4) Accommodation provisions for instances in which educational materials
30 conflict with sincerely held religious or philosophical beliefs of a student's parent
31 or guardian.

32 D. The model child sexual abuse response policies and reporting procedures referred
33 to in paragraph B may include the following topics:

34 (1) Actions that a child who is a victim of sexual abuse may take to obtain
35 assistance; and

36 (2) Reporting procedures.

37 E. The department shall offer technical assistance to school administrative units that
38 operate a public preschool program or an elementary school to aid in the

1 establishment of child sexual abuse programs that are to be implemented as part of
2 the health education curriculum.

3 F. A copy of the model policies and the program of technical assistance prepared by
4 the commissioner pursuant to this subsection must be sent to each school
5 administrative unit in the State and posted on the publicly accessible portion of the
6 department's website along with any training and instructional materials related to the
7 model policies that the commissioner determines necessary.

8 **Sec. 2. 20-A MRSA §4502, sub-§5-C** is enacted to read:

9 **5-C. Detection and prevention of child sexual abuse.** Beginning in the 2016-2017
10 school year, a school administrative unit that operates a public preschool program or an
11 elementary school shall develop a plan that includes:

12 A. A written local policy for child sexual abuse prevention programs and child
13 sexual abuse response policies and reporting procedures that are consistent with the
14 model policies developed by the commissioner pursuant to section 254, subsection
15 18; and

16 B. An implementation plan for age-appropriate instruction on the detection and
17 prevention of child sexual abuse that may be used as part of the basic course of study
18 in elementary schools required by section 4711 for all students enrolled in
19 kindergarten to grade 5 and the standards and best practices for public preschool
20 programs operated in compliance with chapter 203, subchapter 3.

21 **Sec. 3. 20-A MRSA §4711**, as amended by PL 2009, c. 313, §11, is further
22 amended to read:

23 **§4711. Elementary course of study**

24 The basic course of study for the elementary schools must provide for the instruction
25 of all students in career and education development, English language arts, world
26 languages, health education and physical education, mathematics, science and
27 technology, social studies and visual and performing arts, as described in the parameters
28 for essential instruction and graduation requirements subject to the schedule specified in
29 section 6209. Beginning in the 2016-2017 school year, the basic course of study must
30 include as part of health education age-appropriate instruction on child sexual abuse
31 detection and prevention for all students enrolled in kindergarten to grade 5.

32 **Sec. 4. 20-A MRSA §4713** is enacted to read:

33 **§4713. Public preschool course of study**

34 The basic course of study for public preschool programs operated in compliance with
35 chapter 203, subchapter 3 must provide all students in public preschool programs with the
36 resources and comprehensive services necessary to meet the standards, best practices and
37 assessment program as required by rules adopted by the department in accordance with
38 section 4271, subsection 4 and section 4501, subsection 1. Beginning in the 2016-2017
39 school year, the basic course of study must include as part of health education age-

1 appropriate instruction on child sexual abuse detection and prevention for all students
2 enrolled in the public preschool program.

3 **Sec. 5. 20-A MRSA §6209, sub-§4**, as amended by PL 2013, c. 244, §2, is
4 further amended to read:

5 **4. Review cycle.** The commissioner shall conduct a review of the content standards
6 and performance indicators by content area on a 5-year cycle beginning in the 2015-2016
7 school year. The review of the content standards and performance indicators for the
8 content area of social studies, including student achievement of proficiency in personal
9 finance, and the content area of health, physical education and wellness, including age-
10 appropriate instruction on child sexual abuse detection and prevention for all students
11 enrolled in public preschool programs and kindergarten to grade 5, must be included in
12 the commissioner's review during the 2015-2016 school year. Any changes that are
13 recommended must be approved through the same process used for establishment of the
14 system of learning results.

15 SUMMARY

16 This bill requires the Commissioner of Education to develop model policies and a
17 program of technical assistance for child sexual abuse response policies and reporting
18 procedures and for age-appropriate instruction on child sexual abuse detection and
19 prevention that may be used as part of the basic course of study in public preschool
20 programs and elementary schools. The bill requires the Department of Education to make
21 the model policies and technical assistance program available no later than March 1, 2016
22 to assist school administrative units with the implementation of child sexual abuse
23 education programs and child sexual abuse response policies and reporting procedures in
24 public preschool programs and kindergarten to grade 5.

25 The bill requires that, beginning in the 2016-2017 school year, the basic course of
26 study for elementary schools must include age-appropriate instruction on child sexual
27 abuse detection and prevention for all students enrolled in public preschool programs and
28 kindergarten to grade 5. The bill requires a school administrative unit that operates a
29 public preschool program or an elementary school to develop a prevention plan,
30 beginning in the 2016-2017 school year, that includes a written local policy and an
31 implementation plan for the child sexual abuse education programs and child sexual
32 abuse response policies and reporting procedures.

33 The bill also requires the commissioner to review the content standards and
34 performance indicators for the content area of health education, including age-appropriate
35 instruction on child sexual abuse detection and prevention during the 2015-2016 school
36 year as part of the commissioner's 5-year review cycle of the content standards and
37 performance indicators required under the system of learning results.