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2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. DINOWITZ, MARKEY, STEVENSON, MAISEL, HIKIND, GIBSON, SIMOTAS, COOK, COLTON, TITONE, CASTRO, ENGLEBRIGHT, MOYA, ROBERTS -- Multi-Sponsored by -- M. of A. ABBATE, ARROYO, BARCLAY, GRAF, ORTIZ, RAIA, SALADINO, TEDISCO -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to enacting "Erin Merryn's law"

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Short title. This act shall be known and may be cited as
2 "Erin Merryn's law".
3 S 2. Legislative findings and intent. The legislature finds and
4 declares that child sexual abuse, estimated to affect up to one in four
5 girls and up to one in six boys, poses a grave threat to the health and
6 safety of young people, and its damaging effects can last a lifetime.
7 The legislature also finds and declares that child sexual exploita-
8 tion, including the use of children in pornography and prostitution, and
9 child abduction pose a similar threat to the health and safety of young
10 people, and put child victims at grave risk of death or severe bodily
11 harm.
12 The legislature also finds and declares that the incidence of child
13 sexual abuse, child sexual exploitation and child abduction can be
14 reduced by raising awareness among young children of common dangers and
15 warning signs, empowering children to better protect themselves from
16 sexual predators, and teaching children how to obtain any necessary
17 assistance or services.
18 It is hereby declared to be the public policy and in the public inter-
19 est of this state to establish a comprehensive program to provide an
20 age-appropriate course of instruction in the prevention of child abduc-
21 tion, child sexual exploitation and child sexual abuse.

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD03100-01-3

1 S 3. Section 803-a of the education law, as added by chapter 658 of
2 the laws of 1994, is amended to read as follows:

3 S 803-a. Courses of study in prevention of child abduction, CHILD
4 SEXUAL EXPLOITATION AND CHILD SEXUAL ABUSE. 1. All pupils in grades
5 [K-8] KINDERGARTEN THROUGH EIGHT in all public schools in the state
6 shall receive instruction designed to prevent the abduction, EXPLOITA-
7 TION OR SEXUAL ABUSE of children. Such instruction shall be provided by
8 or under the direct supervision of regular classroom teachers, provided,
9 however, that such instruction may be provided by any other agency,
10 public or private.

11 2. The commissioner, shall provide technical assistance to assist in
12 the development of curricula for such courses of study which shall be
13 age appropriate and developed according to the needs and abilities of
14 pupils at successive grade levels in order to provide awareness skills,
15 information, self-confidence and support to aid in the prevention of
16 child abduction, CHILD SEXUAL EXPLOITATION AND CHILD SEXUAL ABUSE.

17 3. For purposes of developing such courses of study, the board of
18 education or trustees of every school district may establish local advi-
19 sory councils or utilize the school-based shared decision making and
20 planning committee established pursuant to regulations of the commis-
21 sioner to make recommendations concerning the content and implementation
22 of such courses. School districts may alternatively utilize courses of
23 instruction developed by consortia of school district, boards of cooper-
24 ative educational services, other school districts or any other agency,
25 public or private. Such advisory councils shall consist of, but not be
26 limited to, parents, school trustees and board members, appropriate
27 school personnel, business and community representatives, and law
28 enforcement personnel having experience in the prevention of child
29 abduction, CHILD SEXUAL EXPLOITATION AND CHILD SEXUAL ABUSE.

30 4. The board of education or trustees of every school district shall
31 provide appropriate training and curriculum materials for the regular
32 teachers who provide such instruction.

33 S 4. This act shall take effect immediately, provided, however, that
34 the amendments to subdivision 1 of section 803-a of the education law,
35 made by section three of this act, shall take effect July 1, 2014.