S T A T E O F N E W Y O R K

661--A

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 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

Section 1. Short title. This act shall be known and may be cited as "Erin Merryn's law".

S 2. Legislative findings and intent. The legislature finds and declares that child sexual abuse, estimated to affect up to one in four girls and up to one in six boys, poses a grave threat to the health and safety of young people, and its damaging effects can last a lifetime.

The legislature also finds and declares that child sexual exploitation, including the use of children in pornography and prostitution, and child abduction pose a similar threat to the health and safety of young people, and put child victims at grave risk of death or severe bodily harm.

The legislature also finds and declares that the incidence of child sexual abuse, child sexual exploitation and child abduction can be reduced by raising awareness among young children of common dangers and warning signs, empowering children to better protect themselves from sexual predators, and teaching children how to obtain any necessary assistance or services.

It is hereby declared to be the public policy and in the public interest of this state to establish a comprehensive program to provide an

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

LBD03100-03-3

age-appropriate course of instruction in the prevention of child abduction, child sexual exploitation and child sexual abuse.

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

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

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

3. For purposes of developing such courses of study, the board of education or trustees of every school district may establish local advisory councils or utilize the school-based shared decision making and planning committee established pursuant to regulations of the commissioner to make recommendations concerning the content and implementation of such courses. School districts may alternatively utilize courses of instruction developed by consortia of school district, boards of cooperative educational services, other school districts or any other agency, public or private. Such advisory councils shall consist of, but not be limited to, parents, school trustees and board members, appropriate school personnel, business and community representatives, and law enforcement personnel having experience in the prevention of child abduction, CHILD SEXUAL EXPLOITATION AND CHILD SEXUAL ABUSE.

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

S 4. This act shall take effect on the first of September next succeeding the date on which it shall have become a law.