STATE OF NEW YORK

IN SENATE

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   § 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.
22   § 3. Section 305 of the education law is amended by adding a new
23 subdivision 56 to read as follows:

1   56. a. The commissioner shall make recommendations to the regents
2 relating to instruction to prevent child sexual exploitation and child
3 abuse in grades kindergarten through eight.
4   b. Prior to making the recommendations to the regents, the commission-
5 er shall:
6   (i) seek the recommendations of teachers, school administrators,
7 teacher educators and others with educational expertise in the proposed
8 curriculum;
9   (ii) seek comment from parents, students and other interested parties;
10   (iii) consider the amount of instructional time such curriculum will
11 require and whether such time would detract from other mandated courses
12 of study;
13   (iv) consider the fiscal impact, if any, on the state and school
14 districts; and
15   (v) consider any additional factors the commissioner deems relevant.
16   c. No later than one hundred eighty days after the effective date of
17 this subdivision, the commissioner shall provide a recommendation to the
18 regents to either adopt and promulgate appropriate rules and regulations
19 implementing such curriculum or reject the implementation of such
20 curriculum. Upon receiving a recommendation from the commissioner,
21 pursuant to this subdivision, the regents shall vote to either accept or
22 reject the commissioner's recommendation no later than sixty days after
23 receiving such recommendation.
24   d. If the regents adopt such curriculum, the curriculum requirement
25 shall take effect no later than the next school year after such curric-
26 ulum has been adopted.
27   e. If the regents reject such curriculum, the commissioner shall
28 provide a report as to the determination of the regents to the governor,
29 the temporary president of the senate, the speaker of the assembly and
30 the chairs of the senate and assembly committees on education providing
31 the reasons for such rejection not later than thirty days after the
32 regents reject such curriculum.
33   § 4. This act shall take effect immediately.