

STATE OF NEW YORK

4070--A

2019-2020 Regular Sessions

IN SENATE

February 27, 2019

Introduced by Sens. BIAGGI, MAYER -- read twice and ordered printed, and when printed to be committed 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 requiring a course of study in the prevention of child sexual exploitation and child sexual abuse

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. This act shall be known and may be cited as "Erin's Law".
2 § 2. The education law is amended by adding a new section 803-b to
3 read as follows:
4 § 803-b. Courses of study in prevention of child sexual exploitation
5 and child sexual abuse. 1. All pupils in grades K-8 in all public
6 schools in the state shall receive instruction designed to prevent child
7 sexual exploitation and child sexual abuse. Such program shall be
8 defined by the commissioner in regulations after consultation with the
9 department of health and be designed to educate students, parents and
10 school personnel about the prevention of child sexual exploitation and
11 child sexual abuse in grades kindergarten through eight. Such program
12 shall include, but not be limited to:
13 (a) age-appropriate model curriculum, exemplar lesson plans, and best
14 practice instructional resources for students, parents and school
15 personnel designed to promote the prevention of child sexual exploita-
16 tion and child sexual abuse. Such model curriculum, lesson plans and
17 instructional resources shall include but not be limited to guidelines
18 and methods of prevention, including recommendations to address this
19 issue;
20 (b) instructional tools and materials for students, parents and school
21 personnel developed in collaboration with the commissioner of health,
22 which shall include updated data and information on the prevention of

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

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1 child sexual exploitation and child sexual abuse, with a review of such
2 data and information to occur periodically, at intervals deemed appro-
3 priate by the commissioner and the commissioner of health; and

4 (c) public availability of all materials related to such awareness,
5 prevention and education programs on a dedicated webpage on the depart-
6 ment's website, and provided at no cost to every school district, board
7 of cooperative educational services, charter school and nonpublic school
8 upon request. Such instruction shall be provided by or under the direct
9 supervision of regular classroom teachers, provided, however, that such
10 instruction may be provided by any other agency, 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 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, the state educa-
24 tion department, boards of cooperative educational services, other
25 school districts or any other agency, public or private. Such advisory
26 councils shall consist of, but not be limited to, parents, school trus-
27 tees and board members, appropriate school personnel, business and
28 community representatives, and law enforcement personnel having experi-
29 ence in the prevention of child sexual exploitation and child sexual
30 abuse.

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

34 § 3. This act shall take effect on the first of July next succeeding
35 the date on which it shall have become a law; provided, however, that
36 effective immediately, the addition, amendment and/or repeal of any rule
37 or regulation necessary for the implementation of this act on its effec-
38 tive date are authorized to be made or completed on or before such
39 effective date.