

STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

HOUSE BILL 1684

By: Denney

AS INTRODUCED

An Act relating to education; creating Erin's Law; stating legislative intent; requiring schools to establish a sexual abuse prevention program; giving school board discretion over content; setting minimum instructional requirements; listing broad guidelines for the program; providing for noncodification; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

This act shall be known and may be cited as "Erin's Law". The Children's Advocacy Centers of Illinois, Illinois Coalition Against Sexual Assault, and Prevent Child Abuse Illinois collaborated to create "Erin's Law", which has passed in nineteen states and is being actively considered by twenty other states. As a child, Erin Merryn was sexually abused for six and one-half (6 1/2) years by a neighbor and family member. Erin is not unique; the Centers for Disease Control and Prevention and the Adverse Childhood Experiences Study report that twenty-five percent (25%) of women and sixteen

1 percent (16%) of men are sexually abused as children. Approximately
2 ninety percent (90%) of children who are sexually abused know their
3 abuser. Only thirty-eight percent (38%) of children ever disclose
4 that they have been sexually abused and the median age of child
5 sexual abuse victims is nine (9) years of age. Only twenty-nine
6 percent (29%) of parents ever talk to their children about sexual
7 abuse and rarely with children less than nine (9) years of age.
8 Child sexual abuse victims suffer significantly higher rates of
9 severe mental and physical health problems both as children and
10 adults. The Oklahoma Legislature finds that children are not taught
11 how to respond to a sexual assault or how to avoid becoming a victim
12 of child sexual abuse. Children need to be educated and empowered
13 about how to report abuse and how to protect themselves which will
14 remove the abusers' ability to keep their child victims silent.

15 SECTION 2. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 1210.160 of Title 70, unless
17 there is created a duplication in numbering, reads as follows:

18 A. All public schools shall establish a sexual abuse prevention
19 instructional program for students in grades prekindergarten through
20 fifth grade, consistent with subsection B of this section. The
21 content of instruction shall be at the discretion of the school
22 board; provided, that the instructional program shall include:

23 1. Developmental and age-appropriate curriculum to teach
24 children how to recognize sexual abuse, risk-reduction strategies

1 (how to identify dangerous situations, personal boundary violations,
2 refuse approaches and invitations, and summon help), and what to do
3 if they have been abused (understand safe and unsafe secrets,
4 identify safe people in their lives, and how to speak up and be
5 safe). Additionally students need to be taught that if they are
6 abused it is not their fault, and that there are people available to
7 protect them and help them heal;

8 2. Instructions that the prevention program is taught at least
9 annually, reinforcing and building on skills learned the previous
10 year;

11 3. Involvement of students as active learning participants, to
12 include discussions, modeling and role-playing;

13 4. A capacity to be delivered by a wide range of personnel
14 including teachers, school counselors, agency prevention educators
15 and other professionals; provided, that the personnel and
16 professionals should have a thorough knowledge of child sexual
17 abuse, including how to respond appropriately to sexual abuse
18 disclosures;

19 5. An evidence-based curriculum;

20 6. An evaluation component that utilizes a pre- and post-
21 program survey of the students to measure the acquisition of the
22 lessons taught;

1 7. Instruction that is culturally sensitive and adaptable so it
2 can be used within varying school contexts, including age, race and
3 special needs;

4 8. A component that encourages parental involvement within the
5 child sexual abuse prevention program. Parents should be given
6 information on child sexual abuse prevention, risk-reduction
7 techniques (this should include characteristics of offenders,
8 grooming behaviors and how to discuss child sexual abuse with their
9 children), and what to do if abuse occurs (warning signs of abuse,
10 reporting guidelines and other immediate responses after abuse has
11 occurred to reduce and prevent additional trauma to the victim); and

12 9. A professional training component, in addition to required
13 training in child sexual abuse reporting pursuant to subsection C of
14 Section 6-194 of Title 70 of the Oklahoma Statutes. Administrators,
15 counselors, teachers and other school personnel should participate
16 in professional education activities on primary child sexual abuse
17 prevention, risk reduction and secondary child abuse prevention
18 (warning signs of abuse, reporting guidelines and immediate
19 responses after a child reports abuse to reduce and prevent
20 additional trauma).

21 B. The broad guidelines of the sexual abuse prevention
22 instructional program shall be to:

23 1. Educate children regarding child sexual abuse prevention
24 (recognition, risk reduction, and what to do if abused) in grades

1 prekindergarten through fifth grade using developmental and age-
2 appropriate curriculum to include role-play, discussions,
3 activities, and books;

4 2. Give children the tools to speak up and tell if anyone has
5 ever touched them inappropriately rather than keep it a secret; and

6 3. Educate children on safe touch, unsafe touch, safe secrets,
7 unsafe secrets, and how to get away and report an incident
8 immediately.

9 SECTION 3. This act shall become effective November 1, 2015.

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