

SESSION OF 2015

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2031

As Amended by House Committee on
Corrections and Juvenile Justice

Brief*

HB 2031, as amended, would be known as Erin's Law and would require the board of education of each school district to adopt and implement a plan to address child sexual abuse for each of its schools offering any of the grades kindergarten through sixth grade. Specifically, the bill would require the plan to include evidence-based teacher training and education provided as part of the school district's existing professional development program to assist with teacher awareness of issues regarding child sexual abuse, including knowledge of likely warning signs indicating a child may be a victim of sexual abuse. The bill also would permit school districts to provide this evidence-based training to other district employees and volunteers as each district deems appropriate.

The bill also would require the plan to include evidence-based age appropriate instruction related to child sexual abuse for all students enrolled in kindergarten through sixth grade. Such instruction could include information on the difference between appropriate and inappropriate conduct and actions a child may take to be protected from sexual abuse.

Additionally, prior to providing such instruction, each school district would be required to inform the parent of any student enrolled in kindergarten through sixth grade that the parent may examine and review the educational materials before they are taught and decide if the parent's child will be

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

instructed with those materials. The parent would be required to notify the school in writing if the child is not to be taught using the materials. "Parent" would be defined by the bill to include a guardian, custodian, or other person with authority to act on behalf of the child.

Background

The House Committee on Corrections and Juvenile Justice introduced the bill at the request of Representative Jennings.

In the House Committee, Representative Jennings and representatives of the Child Advocacy Center of Sedgwick County, Kansas Chapter of Children's Advocacy Centers, and Kansas National Education Association provided proponent testimony. A citizen also provided proponent testimony. Written proponent testimony was submitted by a representative of the Western Kansas Child Advocacy Center and Erin Merry, for whom the bill is named. A representative of the Kansas Association of School Boards provided written neutral testimony. A representative of the Kansas Children's Service League submitted written testimony in opposition to the bill that cited the lack of a more comprehensive, evidence-based community approach.

The House Committee amended the bill to require evidence-based teacher training and evidence-based student instruction. The House Committee also amended the bill to allow school districts to provide such training to employees and volunteers as deemed appropriate.

According to the fiscal note prepared by the Division of the Budget, the State Board of Education would appoint a statewide committee to obtain input on what should be included in a child sexual abuse plan, which would cost approximately \$10,000 for meeting and travel expenses. The Board would then contract for the development and dissemination of the guidelines and materials, which the

Kansas Department of Education estimates would cost approximately \$40,000. In total, the Department estimates that enactment of the bill, as introduced, would require additional expenditures of \$50,000 in FY 2016, from the State General Fund. Any fiscal effect associated with the bill is not reflected in *The FY 2016 Governor's Budget Report*.