

MODEL LEGISLATIVE LANGUAGE

Child Sexual Abuse Prevention Education In Schools and Youth-serving Organizations

Section 1. For the purposes of amending chapter xxx, the following words and phrases shall have the following meanings:

“Abuse”, an act involving a minor that constitutes a sexual offense under the laws of the state or any sexual misconduct between an adult and a minor under the care of that individual.

“Abuse prevention policy”, a policy adopted by a school or youth-serving organization that supports the prevention of sexual abuse by detailing a code of conduct for employees that identifies inappropriate behavior between a school or youth-serving organization and a student or minor.

“Age-appropriate”, topics, messages and teaching methods suitable to particular ages or age groups of children and adolescents, based on developing cognitive, emotional, and behavioral capacity typical for the age or age group

“Employee” means a person defined as such in section xxx of chapter xxx.

“Mandated reporter” means a person defined as such in section xxx of chapter xxx.

“Minor”, a person under 18 years of age.

“School”, a public or private educational institution that serves minors in the state, including an entity with the mission of providing activities and socialization for minors that is operated by such an educational institution.

“Sexual misconduct”, any action directed towards or with a minor, regardless of the age of the minor, that is designed to promote a romantic or sexual relationship with the minor. Such acts include, but are not limited to:

- (a) Sexual or romantic invitation;
- (b) Dating or soliciting dates;
- (c) Engaging in sexualized or romantic dialogue;
- (d) Making sexually suggestive comments;
- (e) Self-disclosure or physical exposure of a sexual, romantic or erotic nature; or
- (f) Any sexual, indecent, romantic or erotic contact with a minor or student.

“Youth-serving organization”, a public or private entity with the mission of providing activities and socialization for minors; provided, however, that this shall not include such an entity operated by a public or private educational institution that serves minors in the state.

Section 2. School Abuse Prevention Policies

(a) Every school shall adopt the abuse prevention policy as set forth by the department of education. The abuse prevention policy shall support the prevention of sexual abuse by detailing a code of conduct for employees that identifies appropriate adult/child interactions, as well as inappropriate or boundary-violating behaviors that may be precursors to illegal sexual offenses. The policy shall also detail the institution's procedures for meeting its obligations under the mandated reporting laws of the state.

(b) The department of education, in consultation with the department of children and families shall create the abuse prevention policy for schools across the state.

(c) The department of education shall make the abuse prevention policy publicly available on its website.

(d) The department shall review the model abuse prevention policy at least once every 5 years to ensure it includes up-to-date information and best practices.

Section 3. Youth-Serving Organizations Abuse Prevention Policies

(a) Every youth serving organization shall adopt the abuse prevention policy as set forth by the department children and families. The abuse prevention policy shall support the prevention of sexual abuse by detailing a code of conduct for employees of youth serving organizations that identifies appropriate adult/child interactions, as well as inappropriate or boundary-violating behaviors that may be precursors to illegal sexual offenses. The policy shall also detail the institution's procedures for meeting its obligations under the state's mandated reporting law.

(b) The department of children and families, in consultation with the department of education, shall create the abuse prevention policy for youth-serving organizations across the Commonwealth.

(c) The department of children and families shall make the abuse prevention policy publicly available on its website.

(d) The department shall review the model abuse prevention policy at least once every 5 years to ensure it includes up-to-date information and best practices.

Section 4. School Employee Sexual Abuse Prevention Education

(a) All school employees and contracted school personnel shall receive instruction biennially on the prevention, identification, and reporting of child sexual abuse. This instruction shall include comprehensive training and information to help schools and their personnel:

(1) recognize, appropriately respond to and prevent behaviors violating the school abuse prevention policy;

(2) recognize, appropriately respond to, and prevent sexually inappropriate, coercive, or abusive behaviors between minors' served by schools;

(3) identify the ways in which the behavioral and verbal cues for sexual abuse differ from those of other abuse and neglect;

(4) support the healthy development of students and minors, and the building of protective factors, to mitigate against their sexual victimization by adults or by other minors;

(5) respond to disclosures of sexual abuse or reports of behaviors violating the abuse prevention policy of adults or minors in a supportive and appropriate manner that meets mandated reporting requirements under state law; and

(6) seek out community resources available to assist schools in the prevention, identification, reporting and referral to treatment of cases involving the sexual abuse or exploitation of minors.

(b) The department of education shall use evidence-based or evidence-informed instructional materials that meet the requirements of subsection (a). The mode of delivery for the trainings may include in-person or e-learning instruction.

(c) The department of education shall adapt, implement and maintain an existing evidence-based or evidence-informed online or in-person training course to satisfy the requirements of subsection (b); provided, however, that if the department cannot find an existing program to adapt to this purpose, then the department shall create, implement, maintain and update such a training program; provided further, that such training program shall be provided to schools at no cost.

(d) For each training required under this section, each school shall maintain records that include the names of the individuals within their school.

Section 5. Youth Serving Organization Employee Sexual Abuse Prevention Education

(a) All persons employed or contracted by a youth serving organization shall receive instruction biennially on the prevention, identification, and reporting of child sexual abuse. This instruction shall include comprehensive training and information to help youth serving organizations and their personnel:

(1) recognize, appropriately respond to and prevent behaviors violating the youth-serving organization abuse prevention policy;

(2) recognize, appropriately respond to, and prevent sexually inappropriate, coercive, or abusive behaviors between minors' served by youth serving organization;

(3) identify the ways in which the behavioral and verbal cues for sexual abuse differ from those of other abuse and neglect;

(4) support the healthy development of minors, and the building of protective factors, to mitigate against their sexual victimization by adults or by other minors;

(5) respond to disclosures of sexual abuse or reports of behaviors violating the abuse prevention policy of adults or minors in a supportive and appropriate manner that meets mandated reporting requirements under state law; and

(6) seek out community resources available to assist youth serving organizations in the prevention, identification, reporting and referral to treatment of cases involving the sexual abuse or exploitation of minors.

(b) The department of children and families shall use evidence-based or evidence-informed educational materials that meet the requirements of subsection (a). The mode of delivery for the trainings may include in-person or e-learning instruction.

(c) The department children and families shall adapt, implement and maintain an existing evidence-based or evidence-informed online or in-person training course to satisfy the requirements of subsection (b); provided, however, that if the department cannot find an existing program to adapt to this purpose, then the department shall create, implement, maintain and update such a training program; provided further, that such training program shall be provided to youth-serving organizations at no cost.

(d) For each training required under this section, each youth serving organization shall maintain records that include the names of the individuals within their youth serving organization.

Section 6. Youth Sexual Abuse Education

(a) Every school that serves elementary or secondary school students and every youth serving organization shall provide age-appropriate instruction to help all children served by such schools, programs, or youth-serving organizations:

(1) Recognize and report inappropriate behavior in adults that may indicate that they pose a sexual risk to minors;

(2) Recognize and report inappropriate behaviors in other children that may indicate that they pose a sexual risk to children and youth;

(3) Learn how to develop healthy and respectful interpersonal relationships, including appropriate body boundaries and privacy rules;

(4) Learn how to communicate effectively to trusted adults any concerns they have about body boundaries or privacy violations;

(5) Learn about available school and community resources to prevent and respond to sexual abuse; and

(b) A parent whose child has been identified as a victim of sexual abuse may choose to exempt their child from the training in order to reduce trauma-triggering responses and support healing.

(c) The department of education shall use tested, research-based instructional materials that meet the requirements of subsection (a) and assist schools in implementing the program. The mode of delivery for the trainings may include in-person or e-learning instruction. For each training required under this section, each school shall maintain records that include the names of the individuals within their school who participated in the training during that year.

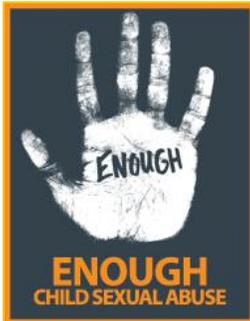
(d) The department of children and families shall use tested, research-based instructional materials that meet the requirements of subsection (a) and assist youth serving organizations in implementing the program. The mode of delivery for the trainings may include in-person or e-learning instruction. For each training required under this section, each youth serving organization shall maintain records that include the names of the individuals within their program who participated in the training during that year.

Section 7. Parent Sexual Abuse Information

Schools and youth serving organizations shall provide opportunities for parents and guardians to receive educational information on: preventing, recognizing and reporting sexual misconduct and student sexual abuse; appropriately handling such disclosures by children; developmentally-appropriate ways to discuss sexual misconduct and sexual abuse with children; and school and community resources available to assist with the prevention of, and response to, sexual misconduct and student sexual abuse. This information may be provided to parents through trainings, educational materials, or in the student handbook that is distributed to pupils, parents and guardians.

Section 8. Teacher Certification

All candidates for teaching certification who have completed a teacher preparation program at an accredited institution of higher education must have satisfactorily completed a program on the prevention and recognition of, and requirement to report, child abuse, including sexual abuse.



For more info on how to strengthen your school's or youth organization's capacity to prevent child sexual abuse, visit:

Enough Abuse Campaign

www.enoughabuse.org ~ info@enoughabuse.org

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