HOUSE DOCKET, NO. 3554 FILED ON: 1/16/2015

HOUSE . . . . . No. 379

The Commonwealth of Massachusetts

PRESENTED BY:

Sean Garballey

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to comprehensive sexual abuse prevention education.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Sean Garballey	*23rd Middlesex*	*1/16/2015*
John J. Lawn, Jr.	*10th Middlesex*	*8/2/2019*
Elizabeth A. Poirier	*14th Bristol*	*8/2/2019*
Kay Khan	*11th Middlesex*	*8/2/2019*
Michael J. Barrett	*Third Middlesex*	*8/2/2019*
Denise Provost	*27th Middlesex*	*8/2/2019*
Marjorie C. Decker	*25th Middlesex*	*8/2/2019*
Kenneth I. Gordon	*21st Middlesex*	*8/2/2019*
Mary S. Keefe	*15th Worcester*	*8/2/2019*
Thomas M. Petrolati	*7th Hampden*	*8/2/2019*
Donald H. Wong	*9th Essex*	*8/2/2019*
Barbara A. L'Italien	*Second Essex and Middlesex*	*8/2/2019*
James Arciero	*2nd Middlesex*	*8/2/2019*
Marcos A. Devers	*16th Essex*	*8/2/2019*

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HOUSE . . . . . No. 379

By Mr. Garballey of Arlington, a petition (accompanied by bill, House, No. 379) of Sean Garballey and others relative to child sexual abuse prevention education in elementary and secondary schools. Education.

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act relative to comprehensive sexual abuse prevention education.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. This Act may be cited as the Comprehensive Child Sexual Abuse Prevention Education Act of 2015.

SECTION 2. This bill establishes a mandate that beginning in the 2015-2016 school year, every school district, commonwealth charter school and non-public school which serves elementary and secondary school students; any state-operated or state-licensed program that provides educational services to kindergarten to grade 12 students; and every youth-serving organization maintained by non-profit or for-profit entities shall ensure that the following adults employed in the schools or state-operated or state-licensed programs including: school district superintendents, school or program administrators, teachers, tutors, counselors, psychologists, school nurses, Title IX coordinators, professional support personnel, coaches, food service workers, janitorial personnel, bus drivers, school paraprofessionals and volunteers; and the following adults employed by youth-serving organizations including: administrators, youth

counselors, coaches, professional support personnel, food service workers, janitorial personnel, bus drivers, and volunteers, receive instruction every year on the prevention, identification, and reporting of child sexual abuse. This instruction shall include comprehensive training and information to help schools, programs, and youth-serving organizations and their personnel:

(a) Recognize sexually offending behaviors in adults, and signs in adults that might indicate they pose a sexual risk to children;

(b) Recognize, appropriately respond to, and prevent sexually inappropriate, coercive, or abusive behaviors among children and youth served by schools, programs, and youth-serving organizations;

(c) Recognize behaviors that might indicate a child or youth has been a victim of sexual abuse;

(d) Support the healthy development of students and children and youth and the building of protective factors to mitigate against their sexual victimization by adults or by other children or youth;

(e) Establish and implement school, program, and youth-serving organization policies that support the prevention of sexual abuse through: ongoing training of staff about adult perpetration and child-on-child sexual abuse; comprehensive screening of prospective employees and volunteers; the development of codes of conduct to identify inappropriate or boundary-violating behaviors that if left unchecked could escalate to reportable sexual offenses; the assessment and modification of physical facilities and spaces to reduce opportunities for sexual abuse;

(f) Respond to disclosures of sexual abuse or reports of boundary-violating behaviors of adults or children in a supportive and appropriate manner and which meets mandated reporting requirements under Section 51A of Chapter 119 of the General Laws;

(g) Learn about community resources available to assist schools, programs, and youth-serving organizations in the prevention, identification, reporting and referral to treatment of cases involving the sexual abuse or exploitation of children or youth.

SECTION 3. Employees identified in SECTION 2 shall complete a minimum of 2 hours of the required training every year. Employees required to undergo continuing professional education shall receive credit toward the continuing professional education requirements where the training program has been approved by the Department of Education.

SECTION 4. This bill establishes a mandate that beginning in the 2016-2017 school year, every school district, commonwealth charter school and non-public school which serve¬¬¬s elementary and secondary school students, every state-operated or state-licensed program serving children and youth, and every youth-serving organization maintained by non-profit or for-profit entities shall provide age-appropriate instruction to help students and children and youth served by such schools, programs, or youth-serving organizations:

(a) Recognize and report boundary-violating behaviors in adults that might indicate they pose a sexual risk to children and youth;

(b) Recognize and report boundary-violating behaviors in other children that might indicate they pose a sexual risk to children and youth;

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

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

(e) Learn about available school and community resources to prevent and respond to sexual abuse.

SECTION 5. School Boards, state agencies operating or licensing programs that serve children and youth, and the Boards of Directors of youth-serving organizations shall use tested, research-based instructional materials which meet these requirements and which have been demonstrated to increase the prevention knowledge and skills of those trained. The mode of delivery for the trainings may include in-person or e-learning instruction.

SECTION 6. For each year or annual training required under Section 2, each school district, state-operated or state-licensed program, or youth-serving organization shall maintain, until at least the third anniversary of the training, records that include the name of the individuals within their school, program, or organization who participated in the training during that year.

SECTION 7. School Boards, state agencies operating or licensing programs that serve children and youth, and the Boards of Directors of youth-serving organizations shall make information about such education and training opportunities available to parents, legal guardians, and other interested persons in the community.