

**JOINT COMMITTEE ON THE JUDICIARY
BILL SUMMARY**

BILL NO. H1832

TITLE: An Act relative to preventing the sexual abuse of children and youth.

SPONSOR: Rep. John J. Lawn, Jr.

COSPONSOR(S): Rep. Natalie M. Blais
Sen. Joanne M. Comerford

HEARING DATE: June 17, 2025

PRIOR HISTORY: None

SENATE BILL: None

CURRENT LAW: Section 168E of Chapter 6 of the General Laws requires all public or independent institutions of higher education to adopt policies on sexual misconduct involving students and employees consistent with Title IX of the federal Education Amendments of 1972.

Chapter 69 of the General Laws sets the power and duties of the Department of Elementary and Secondary Education. Section 6 sets the requirements and standards for applying for the position of teacher including good moral character.

Section 21 of Chapter 119 defines “mandated reporter” to include public or private school teacher, educational administrator, guidance or family counselor, child care worker, person paid to care for or work with a child in any public or private facility, or home or program funded or licensed by the commonwealth that provides child care or residential services to children or that provides the services of child care resources and referral agencies, voucher management agencies or family child care systems or child care food programs, licenser of the department of early education and care or school attendance officer.

Section 51A of Chapter 119 requires mandated reporters to immediately contact the department and within 48 hours file a written report with the department if they suspect a child is suffering abuse or neglect. Violations of this section may result in fines or, if serious bodily injury or death of a child results or there are multiple violations, incarceration.

Section 85K of Chapter 231 limits the tort liability of certain charitable organizations and the directors, officers or trustees of educational institutions. It limits the liability of charitable corporations, trusts and organizations to \$20,000 for any cause of action stemming from an act committed in the course of an activity done to directly accomplish the charitable purpose of the corporation, trust or association. Liability for medical malpractice claims against nonprofit organizations providing health care is limited to \$100,000. This cap on charitable liability does not apply if the action was committed in the course of activities primarily commercial in character despite them being done to obtain revenue to be used for charitable purposes. The section further limits the liability of volunteer directors, officers and trustees of non-profit educational institutions acting in good faith and within the scope of official functions and duties to damages or injuries unless caused by willful or wanton misconduct. None of the liability limits in this section apply to any motor vehicle case.

BILL SUMMARY:

Section 1 – Names the Act the Comprehensive Child Sexual Abuse Prevention Act of 2025.

Section 2 – Adds a new Chapter to the General Laws on Child Sexual Abuse Prevention.

- Adds a section with definitions of “abuse,” “child,” “direct contact with children,” “job performance,” “school” and “sexual misconduct.” A “school” includes any public, private, independent or parochial school and special education school program in the Commonwealth.
- Requires every school, state-licensed program that provides educational services and every youth-serving organization provide mandatory yearly instruction on the prevention, identification and reporting of child sexual abuse to all employees, contractors and volunteers.
- Requires every school, state-licensed program that provides educational services and every youth-serving organization provide age-appropriate instruction to the students, children and youth they serve on recognizing and reporting inappropriate behavior, developing and communicating respectful body boundaries and privacy rules and the resources available to prevent and respond to sexual abuse.
- Prohibits school and independent contractors from offering employment to anyone unless they provide permission for full disclosure of all records on their employment histories and an investigation into any prior misconduct and discipline allegations. All schools or prior employment must provide the information requested and may not be held liable for this

disclosure. No contracts or collective bargaining agreements may be made that suppress the release of this information.

- The Department of Elementary and Secondary Education has jurisdiction to investigate and penalize for willful violations of the Act. Violations may result in fines, civil liability or professional censure. During its investigations it has the power to request any information and documents necessary for any public or private school in the Commonwealth and may subpoena to compel their production. It shall report any required information to the National Association of State Directors of Teacher Education and Certification Clearinghouse.
- Any person who files a complaint, reports wrongdoing or aids in the investigation is immune from liability if they act in good faith and without malice.

Sections 3 to 5 – Update the definition of “mandated reporter” in Section 21 of Chapter 119 to include domestic violence workers, volunteer and professional athletic coaches, professional tutors, animal control or humane officers, commercial film or photo processors and information technology repair or service personnel.

Section 6 – Adds to Section 51A of Chapter 119 that the same reporting obligations of the section apply to any school or mandated reporter who has reasonable cause to believe that there is a credible threat to a minor by a person alleged to have sexually abused a child in the past.