

SESSION OF 2014

**SUPPLEMENTAL NOTE ON SUBSTITUTE FOR HOUSE
BILL NO. 2634**

As Recommended by House Committee on
Corrections and Juvenile Justice

Brief*

Sub. for HB 2634 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 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 require the plan to include 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, the bill would require each school district 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 instructed with those materials. The parent would 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.

*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>

Finally, the bill would require the State Board of Education to develop materials and guidelines that local boards of education could use in implementing a plan to address child sexual abuse.

Background

As introduced by the House Committee on Corrections and Juvenile Justice, HB 2634 contained the policy recommendation of that committee's Subcommittee on Juvenile Justice Reform to raise the age for the potential prosecution of a juvenile as an adult from 10 to 14 years of age. The House Committee placed that provision in a substitute bill for HB 2633 and recommended a substitute bill for HB 2634 containing the text of HB 2432 (as introduced).

Background of HB 2432

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

In the House Committee on Judiciary, Representative Jennings and representatives of Erin's Law, Western Kansas Child Advocacy Center, and Kansas National Education Association spoke in favor of the bill. Written proponent testimony was provided by representatives of the Children's Advocacy Centers of Kansas and Sedgwick County Child Advocacy Center. A representative of the Kansas Association of School Boards offered neutral testimony.

According to the fiscal note prepared by the Division of the Budget on HB 2432, the Kansas State Department of Education estimates it would cost \$28,600, all from the State General Fund, to engage outside consultants and agencies in the area of child sexual abuse, and to make materials accessible to educators and parents on the Department's website. Any fiscal effect is not reflected in *The FY 2014 Governor's Budget Report*.