

CHILD SEXUAL ABUSE PREVENTION AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kirk A. Cullimore

House Sponsor: _____

LONG TITLE

General Description:

This bill amends the options to provide instruction on child sexual abuse and human trafficking.

Highlighted Provisions:

This bill:

- ▶ amends the options to provide instruction on child sexual abuse and human trafficking including:
 - allowing a local education agency (LEA) to create instructional materials;
 - requiring the state board to contract with a provider for child sexual abuse and human trafficking instruction and training; and
 - establishing a grant for an LEA to use an alternative provider; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2025:

- ▶ to State Board of Education - Contracted Initiatives and Grants - Child sexual abuse prevention as an ongoing appropriation:
 - from the Income Tax Fund, \$1,000,000
- ▶ to State Board of Education - Contracted Initiatives and Grants - Child sexual abuse prevention grant program as an ongoing appropriation:
 - from the Income Tax Fund, \$500,000



28 **Other Special Clauses:**

29 This bill provides a special effective date.

30 **Utah Code Sections Affected:**

31 AMENDS:

32 **53G-9-207**, as last amended by Laws of Utah 2022, Chapter 335



33 *Be it enacted by the Legislature of the state of Utah:*

34 Section 1. Section **53G-9-207** is amended to read:

35 **53G-9-207. Child sexual abuse prevention.**

36 (1) As used in this section[;]:

37 (a) (i) "Age-appropriate instructional material" means material that provide instruction
38 on:

39 (A) the responsibility of adults for the safety of children;

40 (B) how to recognize uncomfortable inner feelings;

41 (C) how to say no and leave an uncomfortable situation;

42 (D) how to set clear boundaries; and

43 (E) the importance of discussing uncomfortable situations with parents and other
44 trusted adults.

45 (ii) "Age-appropriate instructional material" does not include material that:

46 (A) invites a student to share personal experiences about abuse during instruction;

47 (B) gives instruction regarding consent as described in Section **76-5-406**; or

48 (C) includes sexually explicit language or depictions.

49 (b) "Alternative provider" means a provider other than the provider selected by the
50 state board under Subsection (8) that provides the training and instruction described in

51 ~~Subsections (3)(a)~~ Subsection ~~←~~ and (4) with instructional materials approved under
52a Subsection (2).

53 (c) [~~"school"~~] "School personnel" means the same as that term is defined in Section
54 **53G-9-203**.

55 (2) The state board shall approve, in partnership with the Department of ~~←~~ **Health and**
55a **←** Human

56 Services, age-appropriate instructional materials for the training and instruction described in
57 Subsections (3)(a) and (4).

58 (3) (a) [~~A school district or charter school~~] An LEA shall provide, every other year,

59 training and instruction on child sexual abuse and human trafficking prevention and awareness
60 to:

61 (i) school personnel in elementary and secondary schools on:

62 (A) responding to a disclosure of child sexual abuse in a supportive, appropriate
63 manner;

64 (B) identifying children who are victims or may be at risk of becoming victims of
65 human trafficking or commercial sexual exploitation; and

66 (C) the mandatory reporting requirements described in Sections 53E-6-701 and
67 80-2-602; and

68 (ii) parents of elementary school students on:

69 (A) recognizing warning signs of a child who is being sexually abused or who is a
70 victim or may be at risk of becoming a victim of human trafficking or commercial sexual
71 exploitation; and

72 (B) effective, age-appropriate methods for discussing the topic of child sexual abuse
73 with a child.

74 (b) ~~[A school district or charter school]~~ An LEA:

75 (i) shall use the instructional materials approved by the state board under Subsection
76 (2) to provide the training and instruction ~~§~~ [to school personnel and parents] ~~←§~~
76a [Subsection]

77 Subsections (3)(a)[:] and (4); or

78 (ii) may use instructional materials the LEA creates to provide the instruction and
79 training described in Subsections (3)(a) and (4), if the LEA's instructional materials are
80 approved by the state board under Subsection (2).

81 (4) (a) In accordance with Subsections (4)(b) and (5), ~~[a school district or charter~~
82 ~~school]~~ an LEA may provide instruction on child sexual abuse and human trafficking
83 prevention and awareness to elementary school students using age-appropriate curriculum.

84 (b) ~~[A school district or charter school]~~ An LEA that provides the instruction described
85 in Subsection (4)(a) shall use the instructional materials approved by the state board under
86 Subsection (2) to provide the instruction.

87 (5) (a) An elementary school student may not be given the instruction described in
88 Subsection (4) unless the parent of the student is:

89 (i) notified in advance of the:

- 90 (A) instruction and the content of the instruction; and
- 91 (B) parent's right to have the student excused from the instruction;
- 92 (ii) given an opportunity to review the instructional materials before the instruction
- 93 occurs; and
- 94 (iii) allowed to be present when the instruction is delivered.
- 95 (b) Upon the written request of the parent of an elementary school student, the student
- 96 shall be excused from the instruction described in Subsection (4).
- 97 (c) Participation of a student requires compliance with Sections 53E-9-202 and
- 98 53E-9-203.
- 99 (6) ~~[A school district or charter school]~~ An LEA may determine the mode of delivery
- 100 for the training and instruction described in Subsections (3) and (4).
- 101 (7) Upon request of the state board, ~~[a school district or charter school]~~ an LEA shall
- 102 provide evidence of compliance with this section.
- 103 (8) The state board shall select a provider to provide the training and instruction
- 104 described in ~~§~~ → ~~[Subsections (3)(a) and] Subsection~~ ← ~~§~~ (4), including requiring the provider
- 104a selected to:
- 105 (a) engage in outreach efforts to support more schools to participate in the training and
- 106 instruction;
- 107 (b) develop materials for the instruction involving students in accordance with
- 108 Subsection (4);
- 109 (c) provide an outline of how many LEAs, schools, and students the provider could
- 110 service; and
- 111 (d) submit a report to the state board that includes:
- 112 (i) information on the LEAs the provider engaged with in the outreach efforts,
- 113 including:
- 114 (A) how many schools within an LEA increased instructional offerings for training and
- 115 instruction; and
- 116 (B) the reasons why an LEA chose to participate or not in the offered training or
- 117 instruction;
- 118 (ii) the number of schools and students that received the training and instruction;
- 119 (iii) budgetary information regarding how the provider utilized any funds the state
- 120 board allocated; and

121 (iv) additional information the board requests.
 122 (9) Subject to legislative appropriation, there is created a grant program to support an
 123 LEA that chooses to use an alternative provider other than the provider selected by the state
 124 board under Subsection (8) to provide the training and instruction described in ~~§~~→ **[Subsections**
 125 **~~(3)(a) and~~ Subsection ←§ (4).**

126 (10) The state board shall:
 127 (a) establish a process to select alternative providers for an LEA to use, including:
 128 (i) an application process for a provider to become an alternative provider;
 129 (ii) required criteria for a provider to become an alternative provider; and
 130 (iii) relevant timelines;
 131 (b) create a process for an LEA to receive a grant award described in Subsection (9),
 132 including:
 133 (i) an application process;
 134 (ii) relevant timelines; and
 135 (iii) a scoring rubric and corresponding formula for determining a grant amount; and
 136 (c) make grant awards on a first come first served basis until the state board distributes
 137 all appropriated funds.

138 (11) An LEA that receives a grant award described in Subsection (10)(b) shall:
 139 (a) use the grant award to cover the costs needed for implementation of the training or
 140 instruction described in ~~§~~→ **[Subsections (3)(a) and] Subsection ←§ (4); and**
 141 (b) upon request of the state board, provide an itemized list of the uses of the grant
 142 award.

143 **Section 2. FY 2025 Appropriation.**

144 The following sums of money are appropriated for the fiscal year beginning July 1,
 145 2024, and ending June 30, 2025. These are additions to amounts previously appropriated for
 146 fiscal year 2025.

147 **Subsection 2(a). Operating and Capital Budgets.**

148 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the
 149 Legislature appropriates the following sums of money from the funds or accounts indicated for
 150 the use and support of the government of the state of Utah.

151 ITEM 1 To State Board of Education - Contracted Initiatives and Grants

152	From Income Tax Fund	\$1,500,000
153	Schedule of Programs:	
154	Child sexual abuse prevention grant program	\$500,000
155	Child sexual abuse prevention	\$1,000,000

156 Section 3. **Effective date.**
157 This bill takes effect on July 1, 2024.