

CHILD SEXUAL ABUSE PREVENTION AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kirk A. Cullimore

House Sponsor: Karianne Lisonbee

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

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

28 **53G-9-207**, as last amended by Laws of Utah 2022, Chapter 335

29

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

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

32 **53G-9-207 . Child sexual abuse prevention.**

33 (1) As used in this section^[5] :

34 (a) (i) "Age-appropriate instructional material" means materials that provide
 35 instruction on:

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

37 (B) how to recognize uncomfortable inner feelings;

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

39 (D) how to set clear boundaries; and

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

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

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

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

45 (C) includes sexually explicit language or depictions.

46 (b) "Alternative provider" means a provider other than the provider selected by the state
 47 board under Subsection (8) that provides the training and instruction described in
 48 Subsection (4) with instructional materials approved under Subsection (2).

49 (c) ^["sehool] "School personnel" means the same as that term is defined in Section
 50 53G-9-203.

51 (2) The state board shall approve, in partnership with the Department of Health and Human
 52 Services, age-appropriate instructional materials for the training and instruction
 53 described in Subsections (3)(a) and (4).

54 (3) (a) ~~[A school district or charter school]~~ An LEA shall provide, every other year,
 55 training and instruction on child sexual abuse and human trafficking prevention and
 56 awareness to:

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

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

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

- 62 (C) the mandatory reporting requirements described in Sections 53E-6-701 and
63 80-2-602; and
- 64 (ii) parents of elementary school students on:
- 65 (A) recognizing warning signs of a child who is being sexually abused or who is a
66 victim or may be at risk of becoming a victim of human trafficking or
67 commercial sexual exploitation; and
- 68 (B) effective, age-appropriate methods for discussing the topic of child sexual
69 abuse with a child.
- 70 (b) ~~[A school district or charter school]~~ An LEA:
- 71 (i) shall use the instructional materials approved by the state board under Subsection
72 (2) to provide the training and instruction ~~[to school personnel and parents]~~ under
73 ~~Subsection]~~ Subsections (3)(a) and (4); or
- 74 (ii) may use instructional materials the LEA creates to provide the instruction and
75 training described in Subsections (3)(a) and (4), if the LEA's instructional
76 materials are approved by the state board under Subsection (2).
- 77 (4) (a) In accordance with Subsections (4)(b) and (5), ~~[a school district or charter school]~~
78 an LEA may provide instruction on child sexual abuse and human trafficking
79 prevention and awareness to elementary school students using age-appropriate
80 curriculum.
- 81 (b) ~~[A school district or charter school]~~ An LEA that provides the instruction described
82 in Subsection (4)(a) shall use the instructional materials approved by the state board
83 under Subsection (2) to provide the instruction.
- 84 (5) (a) An elementary school student may not be given the instruction described in
85 Subsection (4) unless the parent of the student is:
- 86 (i) notified in advance of the:
- 87 (A) instruction and the content of the instruction; and
88 (B) parent's right to have the student excused from the instruction;
- 89 (ii) given an opportunity to review the instructional materials before the instruction
90 occurs; and
- 91 (iii) allowed to be present when the instruction is delivered.
- 92 (b) Upon the written request of the parent of an elementary school student, the student
93 shall be excused from the instruction described in Subsection (4).
- 94 (c) Participation of a student requires compliance with Sections 53E-9-202 and
95 53E-9-203.

- 96 (6) ~~[A school district or charter school]~~ An LEA may determine the mode of delivery for the
97 training and instruction described in Subsections (3) and (4).
- 98 (7) Upon request of the state board, ~~[a school district or charter school]~~ an LEA shall
99 provide evidence of compliance with this section.
- 100 (8) The state board shall select a provider to provide the training and instruction described
101 in Subsection (4), including requiring the provider selected to:
- 102 (a) engage in outreach efforts to support more schools to participate in the training and
103 instruction;
- 104 (b) provide materials for the instruction involving students in accordance with
105 Subsection (4);
- 106 (c) provide an outline of how many LEAs, schools, and students the provider could
107 service; and
- 108 (d) submit a report to the state board that includes:
- 109 (i) information on the LEAs the provider engaged with in the outreach efforts,
110 including:
- 111 (A) how many schools within an LEA increased instructional offerings for
112 training and instruction; and
- 113 (B) the reasons why an LEA chose to participate or not in the offered training or
114 instruction;
- 115 (ii) the number of schools and students that received the training and instruction;
- 116 (iii) budgetary information regarding how the provider utilized any funds the state
117 board allocated; and
- 118 (iv) additional information the state board requests.
- 119 (9) Subject to legislative appropriation, there is created a grant program to support an LEA
120 that chooses to use an alternative provider other than the provider selected by the state
121 board under Subsection (8) to provide the training and instruction described in
122 Subsection (4).
- 123 (10) The state board shall:
- 124 (a) establish a process to select alternative providers for an LEA to use, including:
- 125 (i) an application process for a provider to become an alternative provider;
- 126 (ii) required criteria for a provider to become an alternative provider; and
- 127 (iii) relevant timelines;
- 128 (b) create a process for an LEA to receive a grant award described in Subsection (9),
129 including:

- 130 (i) an application process;
- 131 (ii) relevant timelines; and
- 132 (iii) a scoring rubric and corresponding formula for determining a grant amount; and
- 133 (c) make grant awards on a first come first served basis until the state board distributes
- 134 all appropriated funds.

135 (11) An LEA that receives a grant award described in Subsection (10)(b) shall:

- 136 (a) use the grant award to cover the costs needed for implementation of the training or
- 137 instruction described in Subsection (4); and
- 138 (b) upon request of the state board, provide an itemized list of the uses of the grant
- 139 award.

140 Section 2. **FY 2025 Appropriation.**

141 The following sums of money are appropriated for the fiscal year beginning July 1,
142 2024, and ending June 30, 2025. These are additions to amounts previously
143 appropriated for fiscal year 2025.

144 Subsection 2(a) **Operating and Capital Budgets**

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

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

149 From Income Tax Fund	\$1,500,000
150 Schedule of Programs:	
151 Child sexual abuse prevention grant program	\$500,000
152 Child sexual abuse prevention	\$1,000,000

153 Section 3. **Effective date.**

154 This bill takes effect on July 1, 2024.