

MAINE STATE LEGISLATURE

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Date: 6/9/15

L.D. 1180
(Filing No. H-353)

EDUCATION AND CULTURAL AFFAIRS

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
127TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 813, L.D. 1180, Bill, "An Act To Require Education in Public Preschool Programs and Elementary Schools Regarding Child Sexual Abuse"

Amend the bill by inserting after the title and before the enacting clause the following:

'Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 20-A MRSA §254, sub-§18 is enacted to read:

18. Model policy; child sexual abuse prevention. The commissioner shall develop a model policy for child sexual abuse prevention education and response that may be used for public preschool programs operated in compliance with chapter 203, subchapter 3 and for all students enrolled in kindergarten to grade 5.

A. No later than July 1, 2016, the commissioner, in consultation with the Department of Health and Human Services, organizations that have expertise in child sexual abuse prevention education and organizations representing school boards, administrators, teachers and parents, shall develop a model policy based on nationally recognized best practices that includes:

- (1) Child sexual abuse response and reporting procedures;
- (2) Child sexual abuse awareness training and prevention education for school personnel;

COMMITTEE AMENDMENT

ROF'S

1 (3) Age-appropriate child sexual abuse prevention education for students,
2 aligned to the system of learning results established pursuant to section 6209 and
3 delivered by qualified instructors;

4 (4) School response and reporting procedures; and

5 (5) Resources a victim of child sexual abuse or nonoffending caregivers of a
6 victim of child sexual abuse may access for services and support.

7 B. The department shall offer technical assistance to school administrative units that
8 operate a public preschool program or an elementary school to aid in the
9 establishment of a local child sexual abuse prevention education and response policy
10 that is consistent with the model policy developed under paragraph A.

11 C. The department shall send a copy of the model policy developed under paragraph
12 A to each school administrative unit in the State and post the model policy on the
13 publicly accessible portion of the department's website along with any related
14 resources that the commissioner determines necessary.

15 **Sec. 2. 20-A MRSA §4502, sub-§5-C is enacted to read:**

16 **5-C. Child sexual abuse prevention education and response.** Beginning in the
17 2017-2018 school year, a school administrative unit that operates a public preschool
18 program or an elementary school shall adopt a written local policy for child sexual abuse
19 prevention education and response that is consistent with the model policy developed by
20 the commissioner pursuant to section 254, subsection 18.'

21 **SUMMARY**

22 This amendment adds a mandate preamble.

23 This amendment replaces the bill. This amendment changes the model policy
24 provisions of the bill to provide that the Commissioner of Education must develop a
25 model policy on child sexual abuse prevention education and response for public
26 preschool programs and elementary schools. This amendment requires the Department of
27 Education to develop the model policy by July 1, 2016, to make the model policy
28 available to school administrative units and to assist school administrative units in
29 developing their own policies for child sexual abuse prevention education and response,
30 based upon the model policy, which schools must develop for the 2017-2018 school year.

31 **FISCAL NOTE REQUIRED**

32 (See attached)



127th MAINE LEGISLATURE

LD 1180

LR 389(02)

An Act To Require Education in Public Preschool Programs and Elementary Schools Regarding Child Sexual Abuse

Fiscal Note for Bill as Amended by Committee Amendment
Committee: Education and Cultural Affairs

A (H-353)

Fiscal Note Required: Yes

Fiscal Note

State Mandate - Exempted

State Mandates

Required Activity

Requires school administrative units that operate a public preschool program or an elementary school to develop a written local policy for child sexual abuse prevention education and response by the 2017-2018 school year.

Unit Affected

School

Local Cost

Insignificant statewide

Pursuant to the Mandate Preamble, the two-thirds vote of all members elected to each House exempts the State from the constitutional requirement to fund 90% of the additional costs.

Fiscal Detail and Notes

Additional costs to the Department of Education to develop the model policy by July 1, 2016 and provide technical assistance to school administrative units that operate a public preschool program or an elementary school in the development of a local policy can be absorbed within existing budgeted resources.