

## Operational Services

### Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors <sup>1</sup>

Child sexual abuse and grooming behaviors harm students, their parents/guardians, the District's environment, its school communities, and the community at large, while diminishing a student's ability to learn. The Board has a responsibility and obligation to increase awareness and knowledge of:<sup>2</sup> (1) issues regarding child sexual abuse, (2) likely warning signs that a child may be a victim of sexual abuse, (3) grooming behaviors related to child sexual abuse and grooming, (4) how to report child sexual abuse, (5) appropriate relationships between District employees and students based upon State law, and (6) how to prevent child sexual abuse.

To address the Board's obligation to increase awareness and knowledge of these issues, prevent sexual abuse of children,<sup>3</sup> and define prohibited grooming behaviors,<sup>4</sup> the Superintendent or designee shall implement an Awareness and Prevention of Sexual Abuse and Grooming Behaviors Program. The Program will:

1. Educate students with:

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<sup>1</sup> Required by *Erin's Law*, 105 ILCS 5/10-23.13. Also infused into this policy are concepts from *Faith's Law*, 105 ILCS 5/22-85.5, which provides helpful guidance for districts to implement *Erin's Law* due to its vagueness. See f/ns 1 and 14 in sample policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*, for further information regarding *Faith's Law*.

**Three Two** additional statutes address a district's responsibility to provide age-appropriate sexual abuse and assault awareness and prevention education programs:

1. 105 ILCS 27/215, **renumbered by P.A. 104-391**, Critical Health Problems and Comprehensive Health Education Act (requires districts to establish a Comprehensive Health Education Program that includes age-appropriate sexual abuse and assault awareness and prevention education in grades pre-K through 12) (see sample policy 6:60, *Curriculum Content*, and administrative procedure 6:60-AP1, *Comprehensive Health Education Program*);
2. 105 ILCS 5/27-1015(b), **renumbered by P.A. 104-391** (requires comprehensive personal health and safety and comprehensive sexual health education a/k/a National Sex Education Standards (NSES) to: (a) be age and developmentally appropriate, medically accurate, complete, culturally appropriate, inclusive, and trauma informed, (b) replicate evidence-based or evidence-informed programs or substantially incorporate elements of evidence-based programs or evidence-informed programs or characteristics of effective programs, (c) provide information about local resources where students can obtain additional information and confidential services related to sexual violence (including sexual abuse and assault), and (d) provide information about State laws related to mandated reporting of child abuse and neglect, and school policies addressing the prevention of and response to sexual violence) (see sample policy 6:60, *Curriculum Content*, and administrative procedure 6:60-AP2, *Comprehensive Personal Health and Safety and Sexual Health Education Program (National Sex Education Standards (NSES))*); and

**105 ILCS 5/27-13.2** (addresses (a) written objections to sexual abuse prevention instruction and notice provisions (minimum five days) for students in grades K through 8, and (b) distribution by the Ill. State Board of Education (ISBE) and Ill. Dept. of Children and Family Services (DCFS) of information for districts to provide to their communities about this instruction) (see sample policy 6:60, *Curriculum Content*, and administrative procedure exhibit 6:60-AP1, E1, *Notice to Parents/Guardians of Sexual Abuse and Assault Awareness and Prevention Education; Requests to Examine Materials; Written Objection(s) and/or Opt outs*)

See sample administrative procedure 6:60-AP1, *Comprehensive Health Education Program*, at f/n 2, for information regarding the repeal of 105 ILCS 5/27-13.2, which formerly required districts to give parents/guardians of students in grades K-8 prior written notice of sexual abuse prevention instruction and the opportunity to opt their children out of such instruction upon written objection.

<sup>2</sup> 105 ILCS 5/10-23.13 at (b)(1).

<sup>3</sup> *Id.* at (b).

<sup>4</sup> *Id.* at (b).

- a. An age-appropriate and evidence-informed health and safety education<sup>5</sup> curriculum that includes methods for how to report child sexual abuse and grooming behaviors to authorities,<sup>6</sup> through Board policy 6:60, *Curriculum Content*;<sup>7</sup>
  - b. Information in Board policy 7:250, *Student Support Services*, about: (i) District counseling options, assistance, and intervention for students who are victims of or affected by sexual abuse,<sup>8</sup> and (ii) community-based Children’s Advocacy Centers and sexual assault crisis centers and how to access those serving the District.<sup>9</sup>
2. Train District employees about child sexual abuse and grooming behaviors by January 31 of each school year with materials that include:<sup>10</sup>
    - a. A definition of prohibited grooming behaviors and employee-student boundary violations pursuant to Board policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*;
    - b. Evidence-informed<sup>11</sup> content on preventing, recognizing, reporting, and responding to child sexual abuse, grooming behaviors, and employee-student boundary violations pursuant to Board policies 2:260, *Uniform Grievance Procedure*; 2:265, *Title IX Grievance Procedure*; 5:90, *Abused and Neglected Child Reporting*; 5:100, *Staff Development Program*; and 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*; and
    - c. How to report child sexual abuse, grooming behaviors, and/or employee-student boundary violations pursuant to Board policies 2:260, *Uniform Grievance Procedure*; 2:265, *Title IX Grievance Procedure*; and 5:90, *Abused and Neglected Child Reporting*.
  3. Provide information to parents/guardians in student handbooks about the warning signs<sup>12</sup> of child sexual abuse, grooming behaviors, and employee-student boundary violations with evidence-informed educational information that also includes:<sup>13</sup>
  4. Provide parents/guardians of students in any of grades K through 8 with not less than five days’ written notice before commencing any class or course providing instruction in recognizing and avoiding sexual abuse, as well as the opportunity to object in writing.<sup>16</sup>

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<sup>5</sup> *Id.* at (b)(1).

<sup>6</sup> *Id.* at (b)(4).

<sup>7</sup> 105 ILCS 5/10-23.13(b). See policy 6:60, *Curriculum Content*, and administrative procedure 6:60-AP1, *Comprehensive Health Education Program*, for information on school board choices related to health and safety education, including sex education.

<sup>8</sup> *Id.* at (b)(2) and (3).

<sup>9</sup> *Id.* at (b)(5). See policy 5:90, *Abused and Neglected Child Reporting*, and administrative procedure 5:90-AP1, *Coordination with Children’s Advocacy Center*, for more information on Children’s Advocacy Centers.

<sup>10</sup> Citations for each letter:

- a. 105 ILCS 5/10-23.13(b).
- b. *Id.* at (b), (b)(1.5), and (c).
- c. *Id.* at (b) and (b)(1.5).

<sup>11</sup> Two Illinois laws address “evidence-informed.” *Evidence-informed* per *Erin’s Law* means modalities that were created utilizing components of evidence-based treatments or curriculums. 105 ILCS 5/10-23.13(a). Contrast with NSES at 105 ILCS 5/27-1015(a), *renumbered by P.A. 104-391*, which defines an *evidence-informed program* as “a program that uses the best available research and practice knowledge to guide program design and implementation.”

<sup>12</sup> 105 ILCS 5/10-23.13(b) and (b)(1); warning signs and *likely* warning signs are mentioned twice in the law. This policy uses *likely* in the purpose introduction. The Ill. Principals Association (IPA) maintains a handbook service that coordinates with PRESS material, Online Model Student Handbook (MSH), at <https://ilprincipals.org/msh/>.

<sup>13</sup> This information is listed in sample exhibit 7:190-E2, *Student Handbook Checklist*. Citations for each letter:

- a. 105 ILCS 5/10-23.13(b) and (b)(1).
- b. *Id.* at (b)(4) and (5).
- c. *Id.* at (b).

- a. Assistance, referral, or resource information, including how to recognize grooming behaviors,<sup>14</sup> appropriate relationships between District employees and students based upon Board policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*,<sup>15</sup> and how to prevent child sexual abuse from happening;
- b. Methods for how to report child sexual abuse, grooming behaviors, and/or employee-student boundary violations to authorities; and
- c. Available counseling and resources for children who are affected by sexual abuse, including both emotional and educational support for students affected by sexual abuse, so that the student can continue to succeed in school pursuant to Board policy 7:250, *Student Support Services*.

LEGAL REF.: 105 ILCS 5/10-23.13, 5/22-85.5, and 5/27-1015.  
 105 ILCS 5/27-215, Critical Health Problems and Comprehensive Health Education Act.  
 325 ILCS 5/, Abused and Neglected Child Reporting Act.  
 720 ILCS 5/11-25, Criminal Code of 2012.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Grievance Procedure), 4:175 (Convicted Child Sex Offender; Screening; Notifications), 5:90 (Abused and Neglected Child Reporting), 5:100 (Staff Development Program), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 6:60 (Curriculum Content), 7:20 (Harassment of Students Prohibited), 7:250 (Student Support Services)

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<sup>14</sup> Providing information to parents/guardians about how to recognize grooming behaviors is not in *Erin's Law*; it only addresses informing parents/guardians about the methods for increasing their awareness and knowledge of grooming behaviors. 105 ILCS 5/10-23.13(b)(1). This policy requires the district to provide information to parents/guardians about how to recognize grooming behaviors to: (1) effect the purpose of *Erin's Law*, (2) align with the intent of the statutes cited in f/n 1, above (educating all students to recognize and avoid sexual abuse and assault), and (3) align with the notification requirements in 105 ILCS 5/27-13.2 (parents/guardians of K-8 students prior to commencing instruction in recognizing and avoiding sexual abuse (see f/n 15, below)).

<sup>15</sup> 105 ILCS 5/22-85.5(e) requires the employee code of professional conduct policy be included in any staff, student or parent/guardian handbook provided by the district. See sample policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*, and sample exhibit 7:190-E2, *Student Handbook Checklist*.

<sup>16</sup> Required by 105 ILCS 5/27-13.2. See 6:60 AP1, E1, Notice to Parents/Guardians of Sexual Abuse and Assault Awareness and Prevention Education; Requests to Examine Materials; Written Objection(s) and/or Statutory Opt-outs. Delete for high school districts.