

Sexual Harassment, Sexual Assault Policies

*Education Commission of the States
November 15, 2011*

Note: Links tend to deteriorate over time.

STATE	STATUS	SUMMARY
AL	Signed into law 02-10	<p>Provides that after determining the state board's proposed July 2009 amendment to Rule 290-4-1, creating the "Alabama Educator Code of Ethics," was ambiguous and incapable of being enforced as currently drafted, the legislative joint committee disapproved the proposed rule change and proposed a revised rule to be adopted by the board. Provides the state board of education refused to accept the recommended amendment and resubmit the revised rule while continuing to support the original proposed rule. Provides that because the state board of education refused to accept the proposed amendment and resubmit the revised rule proposed by the Joint Committee, the decision of the Joint Committee to disapprove the proposed amendment to Rule 290-4-1, entitled "Education Accountability," is sustained.</p> <p>Title: S.J.R. 9 Alabama Educator Code of Ethics Source: www.lexis.com</p>
AL	Adopted 07-09	<p>Adds section creating the Alabama Educator Code of Ethics. Identifies nine areas of standards of conduct, including teacher/student relationships, background checks and confidentiality of the content of student records and standardized tests. Requires educators to report a breach of one or more of the Standards in the Alabama Educator Code of Ethics as soon as possible, but no later than 60 days from the date the educator became aware of the alleged breach. Provides circumstances under which the state superintendent of education may revoke, suspend or refuse to issue a certificate, and establishes grounds that must serve as cause for disciplinary action.</p> <p>Title: 290-4-1 Alabama Educator Code of Ethics Source: www.lexis.com</p>
AL	Pocket veto by governor 05-09	<p>Restricts the presence of convicted sex offenders on or near certain college or university property. Prohibits a convicted sex offender from loitering at or around a school bus stop.</p> <p>Title: S.B. 137 Convicted Sex Offenders Source: www.lexis.com</p>

AR	Signed into law 04-03	Expands the Arkansas school children protection act to include teacher sexual contact with a student; requires termination of employment upon conviction. http://www.arkleg.state.ar.us/ftproot/bills/2003/public/SB691.pdf Title: S.B. 691 School Children Protection Act Source: <i>Arkansas Legislative Web site</i>
AZ	Signed into law 05-08	Concerns penalty classifications for sexual conduct with a minor when the perpetrator is the minor's school teacher, clergyman or priest. Chapter 210: http://www.azleg.gov/FormatDocument.asp?inDoc=/legtext/48leg/2r/summary/h.sb1336_05-13-08_astransmittedtogovernor.doc.htm Title: S.B. 1336 Ethics Source: <i>http://www.azleg.gov</i>
AZ	Signed into law 04-01	Requires school districts to integrate into existing sex education curricula; relates to sexual conduct with a minor for pupils in grades 7 through 12; allows school districts to develop their own curricula relating to the instruction of laws relating to sexual conduct with a minor; requires the county attorney or Attorney General's office to review the legal accuracy of school district curriculum related to sexual conduct with a minor laws, at the request of a school district. Title: S.B. 1222 Sex Education/Sexual Conduct Source: <i>Lexis-Nexis/StateNet</i>
CA	Signed into law 10-11	Creates definition of "gender expression" in the Education Code. Adds that a public education is to be offered to all, regardless of gender identity and gender expression; prohibits discrimination in public schools and charter schools based on gender identity or gender expression in any program or activity conducted by an educational institution that receives, or benefits from, state financial assistance or enrolls pupils who receive state student financial aid. Adds that gender identity and gender expression includes a perception that the person has any of those characteristics or that the person is associated with a person who has, or is perceived to have, any of those characteristics. Adds gender identity and gender expression to characteristics that supplemental resources to combat bias should be available in the public schools. Also prohibits discrimination on the basis of gender expression and gender identity in the Government Code. http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_0851-0900/ab_887_bill_20111009_chaptered.pdf Title: A.B. 887 Gender Expression and Gender Identity Source: <i>www.leginfo.ca.gov</i>
CA	Signed into law 10-11	From bill summary: Requests the Trustees of the California State University, the Regents of the University of California, and the governing board of each community college district to adopt and publish policies on harassment, intimidation and bullying to be included within the rules of student conduct governing their respective segments of public postsecondary education. Expresses the intent of the legislature that rules and regulations governing student conduct be published, at a minimum, on the each public postsecondary educational campus's Web site and as part of any printed material covering

		<p>those rules and regulations within the respective public postsecondary education systems.</p> <p>Revises the definition of gender to include “gender expression” for purposes of the Equity in Higher Education Act. Requests the Trustees of the California State University, the Regents of the University of California and the governing board of each community college district to designate an employee at each of their respective campuses as a point of contact to address the needs of lesbian, gay, bisexual and transgender faculty, staff and students. Requests each segment to collect aggregate demographic information regarding sexual orientation and gender identity of staff and students within other aggregate demographic data collected, and requires annual transmittal of any report to the legislature, and posting of the information on each respective institution's Web site.</p> <p>Encourage the Legislative Analyst to conduct an assessment of the campuses of each of the segments of public postsecondary education to develop recommendations to improve the quality of life on those campuses for lesbian, gay, bisexual and transgender faculty, staff and students, and to publish a summary of those recommendations on its Web site. Makes various conforming changes to existing nondiscrimination laws affecting postsecondary educational institutions and programs, and requirements related to reporting hate violence, to additionally include sexual orientation, gender identity and gender expression within the scope of those programs and requirements.</p> <p>http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_0601-0650/ab_620_bill_20111008_chaptered.pdf</p> <p>Title: A.B. 620 Harassment and Bullying; Nondiscrimination; Gender Identity, Gender Expression and Sexual Orientation Source: <i>www.leginfo.ca.gov</i></p>
CA	Signed into law 09-11	<p>Expresses legislative intent that public schools have access to supplemental resources to combat bias on the basis of gender identity and gender expression.</p> <p>http://www.leginfo.ca.gov/pub/11-12/bill/sen/sb_0551-0600/sb_559_bill_20110906_chaptered.pdf</p> <p>Title: S.B. 559 Gender Identity and Gender Expression Source: <i>www.leginfo.ca.gov</i></p>
CA	Signed into law 04-10	<p>Encourages public education institutions to:</p> <ul style="list-style-type: none"> • Designate each campus as a “Discrimination-Free Zone” to provide a safe haven from intolerance or discrimination • Enact appropriate procedures (such as counseling services and conflict management) that meaningfully address acts of discrimination that occur on campus • Notify parents and the campus community of existing policies and procedures that encourage tolerance of others • Use existing resources to identify themselves as “Discrimination-Free Zones” to create a campus climate that welcomes diversity and supports the tolerance of others. <p>http://www.leginfo.ca.gov/pub/09-10/bill/asm/ab_0051-0100/acr_82_bill_20100421_chaptered.pdf</p>

		<p>Title: A.C.R. 82 P-12 and Postsecondary Campuses as “Discrimination-Free Zones” Source: www.leginfo.ca.gov</p>
CA	Vetoed 09-05	<p>An act to amend Section 48900 of the Education Code, relating to pupil rights. Authorizes a principal or superintendent to suspend a student who knowingly made a false accusation to a school employee that another school employee has committed or attempted to commit a sexual assault against that pupil. Adds that a pupil may not be recommended for expulsion for this act. http://www.leginfo.ca.gov/pub/bill/asm/ab_0601-0650/ab_605_bill_20050830_enrolled.pdf</p> <p>Title: A.B. 605 False Accusation of Sexual Assault Source: www.leginfo.ca.gov</p>
CA	Signed into law 10-01	<p>States the intent of the Legislature that schoolsites receiving funds pursuant to the School Safety and Violence Prevention Act provide age-appropriate instruction in domestic violence prevention, dating violence prevention and interpersonal violence prevention.</p> <p>Title: A.B. 819 School Safety and Violence Prevention Act Source: Lexis-Nexis/StateNet</p>
CA	Signed into law 09-01	<p>Chapter No.342, Includes in the definition of sex offense, as used in provisions relating to school employees, any offense against the laws of the United States that if committed or attempted in this State would have been punishable as crimes. Prohibits disclosure by the Commission on Teacher Credentialing of information other than information maintained for the public record. Relates to accreditation of teacher preparation programs. Related to special education certification.</p> <p>Title: S.B. 299 Definition of sex offense Source: Lexis-Nexis/StateNet</p>
CO	Signed into law 05-02	<p>Includes “unlawful sexual behavior” under definitions of “abuse” and “child abuse or neglect.” Requires public and private school officials and employees to report allegations of child abuse to law enforcement agencies immediately upon receipt of such information giving reasonable cause to know or suspect that a child has been subjected to abuse or neglect. http://www.leg.state.co.us/2002a/inetcbill.nsf/fsbillcont/C6AA7DEFA22BC11F87256B6C00603C3B?Open&file=187_enr.pdf</p> <p>Title: S.B. 187 Reporting by School Employees of Suspected Sex Offenses Against Children Source: www.leg.state.co.us</p>
CT	Signed into law 06-02	<p>Establishes as sexual assault in the second degree any incidence of sexual intercourse between a coach or a person who provides intensive, ongoing instruction and a recipient of such coaching or instruction who is a secondary school student or under 18. Establishes as fourth-degree sexual assault any incidence of sexual contact between a coach or a person who provides intensive, ongoing instruction and a recipient of such coaching or instruction who is a</p>

		<p>secondary school student or under 18. Establishes coaches as mandated reporters. Increases fine for failure of mandated reporters to report to \$500-\$2,500.</p> <p>Title: H.B. 5722 Sexual Harassment by Coach Source: <i>Lexis-Nexis/StateNet</i></p>
CT	<p>Signed into law 05-02</p>	<p>Lengthens statutes of limitations in cases of sexual abuse, sexual exploitation or sexual assault of a minor to 30 years from date of victim's attainment of age of majority. Adds section stating that in certain cases of recovering damages for personal injury caused by sexual assault to a minor, there is no statute of limitations. Defines as Class B felony actions placing child in endangerment. Makes sexual assault in the first degree a class A felony if the victim is under 16.</p> <p>Expands list of those professionals mandated to report suspected child abuse or neglect. Establishes educational training program for accurate and prompt identification and reporting of child abuse and neglect, available to all mandated reporters. Requires that any mandated reporter who does not report must participate in an educational and training program; reduces maximum time in which reporting must take place to within 12 hours. Allows state telephone hotline for child abuse to accept information from anyone. States that teacher records held by local or regional boards which are records of the personal misconduct of a teacher are public records and subject to disclosure. Disclosure of such records of a teacher's personal misconduct does not require the consent of the teacher.</p> <p>Title: H.B. 5680 Sexual Abuse of Minors and Child Abuse and Teacher Records Source: <i>Lexis-Nexis/StateNet</i></p>
FL	<p>Signed into law 05-02</p>	<p>Creates new section requiring instructional or administrative personnel who know of student-on-student-sexual battery to report the offense to a law enforcement agency having jurisdiction. See bill section 761, page 1416, line 4 ff: http://www.leg.state.fl.us/data/session/2002E/Senate/bills/billtext/pdf/s0020Eer.pdf</p> <p>Title: S.B. 20E Education Code Re-Write: Requirement to Report Student-on-Student Sexual Battery Source: <i>http://www.leg.state.fl.us</i></p>
GA	<p>Signed into law 05-10</p>	<p>Defines "school" and revises definition of "sexual assault" to clarify that one definition is engagement in sexual contact by a teacher, principal, assistant principal or other administrator of any school with such other individual who the actor knew or should have known is enrolled at the same school. Amends fine and terms of imprisonment for persons found guilty of sexual assault, including under various circumstances related to victim's and perpetrator's ages. http://www.legis.state.ga.us/legis/2009_10/pdf/hb571.pdf</p> <p>Title: H.B. 571 Definition of "Sexual Assault" Source: <i>www.legis.state.ga.us</i></p>

GA	Signed into law 05-08	<p>Provides that falsifying, misrepresenting, omitting, or erroneously reporting reports of instances of inappropriate behavior by a teacher, administrator or other school employee toward a student must be addressed in the student code of conduct. Directs the Professional Standards Commission to establish a process for students to follow in reporting instances of such behavior. Provides for notice of the process in student handbooks and in employee handbooks or policies.</p> <p>Provides that if through the state mandated process it is determined that a complaint against a teacher, administrator or other school employee is unsubstantiated, the local school system must, at the request of the aggrieved party, submit a written statement to that effect to all local print and television media outlets that published any articles or reported any news relating to such complaint against the teacher, administrator, or employee.</p> <p>Directs the Professional Standards Commission to coordinate a training program on educator sexual misconduct, and requires every local superintendent to ensure that all certified staff receive such training.</p> <p>Authorizes the staff of the Professional Standards Commission, without notification to the Professional Standards Commission, to immediately open an investigation submitted to the commission by a local school superintendent, with approval of the local board of education, of a complaint by a student against an educator alleging a sexual offense. Directs the Professional Standards Commission to have on staff a minimum of one investigator specifically trained in investigating educator sexual misconduct. Requires that the investigation of any complaint of sexual misconduct be completed in a maximum of 60 days.</p> <p>Provides that if the Professional Standards Commission's review of the investigative report results in a sanction against the educator, the educator must have the right to appeal the commission decision to a hearing before an administrative law judge within 90 days of the sanction. http://www.legis.state.ga.us/legis/2007_08/pdf/hb1321.pdf</p> <p>Title: H.B. 1321 Inappropriate Behavior by an Educator Source: <i>www.legis.state.ga.us</i></p>
HI	Signed into law 06-08	<p>Allows the state teacher standards board to suspend a teacher's license without a hearing and initiate proceedings to permanently revoke the teacher's license when the teacher has been convicted of certain sexual offenses against minors. Requires the department of education to notify the board of the name of any teacher convicted of a sexual offense against a minor. Authorizes a person whose license to teach has been suspended because he/she was convicted of certain sexual offenses against minors to petition the board to reconsider the suspension and pending revocation, including on grounds of reversal of the conviction by a final decision of the appellate court or supreme court. http://www.capitol.hawaii.gov/session2008/Bills/SB2080_CD1_.htm</p> <p>Title: S.B. 2080 Revocation of Teacher's License Source: <i>www.capitol.hawaii.gov</i></p>

IA	Signed into law 05-07	<p>Defines “gender identity” and “sexual orientation.” Provides that no educational institution (pre-K through postsecondary) may discriminate on the basis of gender identity or sexual orientation.</p> <p>http://coolice.legis.state.ia.us/Cool-ICE/default.asp?Category=billinfo&Service=Billbook&menu=false&ga=82&hbill=S F427</p> <p>Title: S.F. 427 No Discrimination Based on Gender Identity or Sexual Orientation Source: <i>coolice.legis.state.ia.us</i></p>
IA	Signed into law 04-07	<p>Defines “age-appropriate” and “research-based.” Directs the department of education to develop age-appropriate and research-based materials for districts about the dangers of sexual exploitation by means of the Internet, including specific strategies to help students protect themselves and their personally identifiable information from such exploitation.</p> <p>Requires the state department to compile age-appropriate and research-based materials related to sexual health literacy and human growth and development. School districts and accredited nonpublic schools must use these resources to upgrade local human growth and development curricula and programming. Districts must inform parents and the community of content provided within this local programming.</p> <p>http://coolice.legis.state.ia.us/Cool-ICE/default.asp?category=billinfo&service=billbook&GA=82&hbill=HF611</p> <p>Title: H.F. 611 Human Growth and Development Curriculum Source: <i>coolice.legis.state.ia.us</i></p>
IA	Signed into law 05-03	<p>Requires any local board, superintendent or head of any nonpublic school to report to the state educational examiners board every instance of revocation or nonrenewal of a school employee's contract due to alleged or actual misconduct, as well as the resignation of the individual holding the license or authorization from the educational examiners board, when the incident or allegation concerns a crime that requires the licensing board to automatically revoke or deny certification, if the local board or reporting official has good cause to believe the incident took place or the allegation is true. Specifies that such information reported to the educational examiners board is confidential and, notwithstanding special circumstances, is not subject to discovery, subpoena or other forms of legal compulsion for release to any individual other than the respondent and the examiners board and its employees involved in licensee discipline, and is not admissible in evidence in judicial or administrative proceedings beyond the proceeding concerning licensee discipline. Requires the educational examiners board to review the information to determine whether a complaint should be initiated, taking into account the crimes for which a license must be denied or revoked according to state statute.</p> <p>See Section 16: http://www.legis.state.ia.us/cgi-bin/Legislation/File_only.pl?FILE=/usr/ns-home/docs/GA/80GA/Legislation/HF/00500/HF00549/030508.html</p> <p>Title: H.B. 549 (omnibus bill) Requirement to Report School Employee Nonrenewal or Termination Due to Alleged or Actual Misconduct Source: <i>www.legis.state.ia.us</i></p>

IA	Signed into law 05-03	<p>Requires the state board of educational examiners to disqualify an individual from obtaining a teaching license or revoke the teaching license of any individual who pleads guilty or is found guilty of "sexual exploitation by a school employee," regardless of the state or country in which the plea or finding was entered.</p> <p>See Section 14: http://www.legis.state.ia.us/cgi-bin/Legislation/File_only.pl?FILE=/usr/ns-home/docs/GA/80GA/Legislation/HF/00500/HF00549/030508.html</p> <p>Title: H.B. 549 (omnibus bill) Grounds for Disqualification from or Revocation of Teaching License Source: <i>www.legis.state.ia.us</i></p>
IA	Signed into law 05-03	<p>Creates a five-year statute of limitations for action for damages suffered as result of sexual abuse or sexual exploitation by a school employee. Action must be brought within five years of the date the victim was last enrolled in or attended the school. Defines "school employee" and "student" for purposes of this section. Defines sexual exploitation by a school employee, and establishes as either a class "D" felony or an aggravated misdemeanor, depending upon the nature of the exploitation. States that an information or indictment for sexual exploitation by a school employee committed on a person under age 18 must be found within 10 years after the victim attains age 18, and that information or indictment for any other sexual exploitation must be found within 10 years of the date the victim was enrolled in or attended the school. See Sections 62-67: http://www.legis.state.ia.us/cgi-bin/Legislation/File_only.pl?FILE=/usr/ns-home/docs/GA/80GA/Legislation/HF/00500/HF00549/030508.html</p> <p>Title: H.B. 549 (omnibus bill) Sexual Abuse or Sexual Exploitation by School Employee Source: <i>www.legis.state.ia.u</i></p>
IA	Signed into law 04-99	<p>Relates to enforcement, prevention, education, and treatment for substance abuse and sexual abuse.</p> <p>Title: S.B. 361 Relates to Substance and Sexual Abuse Prevention, Education and Treatment Source: <i>Lexis-Nexis/StateNet</i></p>
IA	Signed into law 05-98	<p>Relates to the conditions or circumstances which constitute permissible physical contact between school employees and students; provides that any school employee determined in a civil action to have been wrongfully accused of improper physical contact in violation of the provisions of Code section 280.21 shall be awarded reasonable monetary damages; relates to corporal punishment.</p> <p>Title: H.B. 2269 Source: <i>Information for Public Affairs, Inc.</i></p>

ID	Signed into law 04-06	Adds to existing law to prohibit access to school children by any person currently registered or required to register under the Idaho Sex Offender Registration Act; provides exceptions; provides a penalty. http://www3.state.id.us/oasis/H0713.html Title: H.B. 713 Sex Offenders Source: <i>Lexis-Nexis/StateNet</i>
IL	Signed into law 02-10	Relates to the procedure for filing a complaint with the Director of Human Rights relating to discrimination in employment, credit, public accommodations, higher education or certain other circumstances. Requires that a notice of dismissal notify a complainant of the right to seek review or commence a civil action. Increases the period of time within which an aggrieved party may file a request for review. http://www.ilga.gov/legislation/publicacts/96/PDF/096-0876.pdf Title: H.B. 59 Discrimination Source: <i>Lexis-Nexis/StateNet</i>
IL	Adopted 11-09	Partially from "Notice of Adopted Amendments" in Illinois Register (changes from this rulemaking but not listed below are technical in nature or echo recent changes in legislation): Section 1.240: Expanded to include a reference to gender identity among the prohibited bases for discrimination because it may otherwise not be clear that gender identity is encompassed in the definition of "sexual orientation". ...for endorsements in safety and driver education that will take effect in 2012. Pages 324-388 of 432: http://www.cyberdriveillinois.com/departments/index/register/register_volume_33_issue45.pdf Title: 23 IAC 1.20, .30, .100, .240, .420, .465, .480, .510, .737 Public Schools Evaluation, Recognition and Supervision Source: <i>www.cyberdriveillinois.com</i>
IL	Signed into law 08-09	Requires every institution of higher education to post in a prominent location a poster stating sexual harassment laws and policies. Requires that the poster be posted in areas easily accessible to students and that an electronic copy be provided to students or incorporated into the online student course registration process. Specifies content that must be included in the sexual harassment poster. Provides that failure to post may subject the institution to an investigation and a civil rights violation charge. http://www.ilga.gov/legislation/96/HB/PDF/09600HB2573lv.pdf Title: H.B. 2573 Sexual Harassment Laws and Policies Source: <i>Lexis-Nexis/StateNet</i>

IL	Signed into law 08-09	<p>Provides that it is a state attorney's duty to notify the state superintendent of education, the applicable regional superintendent of schools, and the superintendent of the employing school district or the chief school administrator of the employing nonpublic school, upon the conviction of any individual known to possess a certificate issued under the school code of any of certain sex offenses or felony convictions, including the offense of grooming and traveling to meet a minor.</p> <p>Requires teachers institutes to include training on educator ethics and teacher/student conduct. Clarifies 105 ILCS 5/10-21.9(c) to provide that no school board may knowingly employ a person who has been convicted of any offense that would subject him or her to certification suspension or revocation pursuant to Section 21-23a of the School Code. Transfers responsibility for beginning certificate suspension and revocation proceedings from the appropriate regional superintendent of schools to the state superintendent. Requires the superintendent of the employing school board to provide written notification to the regional and state superintendents of any certificate holder whom he or she has reasonable cause to believe has committed an intentional act of abuse or neglect with the result of making a child an abused child or a neglected child, and that act resulted in the certificate holder's dismissal or resignation from the school district.</p> <p>Requires local boards, at least once every two years, to conduct in-service training on educator ethics, teacher-student conduct and school employee-student conduct for all personnel. Provides that no one who has been convicted of an offense set forth in Section 21-23a of the School Code may be certified to teach or supervise in the public schools.</p> <p>Adds circumstances under which an applicant with a felony conviction may submit character references or other written material before such a conviction or other information regarding the applicant's character may be used by the state superintendent of education as a basis for denying the application.</p> <p>Clarifies that the state superintendent of education has the exclusive authority to initiate certificate suspension or revocation, including for child abuse or neglect. Provides that the state superintendent is not under obligation to initiate an investigation of a certificate holder if the Department of Children and Family Services is investigating the same or substantially similar allegations. Provides that if the state superintendent of education does not receive a request for a hearing within 10 days after the individual receives notice, the suspension or revocation must immediately take effect in accordance with the notice. Clarifies that a hearing will act as a stay of proceedings until the state teacher certification board issues a decision. Repeals and replaces certain other existing language regarding hearings and repeals/suspensions of certificates.</p> <p>Adds "conspiracy to commit first degree murder " and "attempted conspiracy to commit first degree murder" to crimes enumerated in 105 ILCS 5/21-23a for which a conviction is grounds for revocation of certification. http://www.ilga.gov/legislation/96/SB/PDF/09600SB2071lv.pdf</p> <p>Title: S.B. 2071 Teacher Conduct, Licensure Suspension and Revocation Source: <i>www.ilga.gov/legislation</i></p>
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IL	Signed into law 08-09	Allows the Comprehensive Health Education Program in grades 8-12 to include instruction on teen dating violence. http://www.ilga.gov/legislation/96/HB/PDF/09600HB0973lv.pdf Title: H.B. 973 Teen Dating Violence Source: <i>www.ilga.gov/legislation</i>
IL	Signed into law 07-08	Provides that a comprehensive health education program must include sexual assault awareness in secondary schools. Requires universities and community colleges to provide some form of sexual assault awareness education to all incoming students, whether through through a seminar, online training or some other way of informing students. http://www.ilga.gov/legislation/95/HB/PDF/09500HB3677lv.pdf Title: H.B. 3677 Sexual Assault Awareness Education Source: <i>www.ilga.gov</i>
IL	Signed into law 09-07	Amends the Privacy of Child Victims of Criminal Sexual Offenses Act. Provides that when a criminal sexual offense is committed or alleged to have been committed by a school district employee or any individual contractually employed by a school district, that criminal history record information must be provided to the superintendent of the school district immediately upon request. http://www.ilga.gov/legislation/95/HB/PDF/09500HB3512lv.pdf Title: H.B. 3512 Criminal Sexual Offense by an Employee Source: <i>Lexis-Nexis/StateNet</i>
IL	Signed into law 08-07	Creates the Internet Safety Education Act. Provides that each school may adopt an age-appropriate curriculum for Internet safety instruction of students in grades K-12. Recommends a minimum of two hours of instruction each school year on: <ol style="list-style-type: none"> 1. Safe and responsible use of social networking Web sites, chat rooms, e-mail, bulletin boards, instant messaging, and other means of communication on the Internet. 2. Recognizing, avoiding, and reporting online solicitations of students and their peers by sexual predators. 3. Risks of transmitting personal information on the Internet. 4. Recognizing and avoiding unsolicited or deceptive communications received online. 5. Recognizing and reporting online harassment and cyber-bullying. 6. Reporting illegal activities and communications on the Internet. 7. Copyright laws on written materials, photographs, music and video. Provides that a school may submit the curriculum for review to the office of the attorney general. http://www.ilga.gov/legislation/95/SB/PDF/09500SB1472lv.pdf Title: S.B. 1472 Internet Safety Education Act Source: <i>www.ilga.gov</i>

IL	Signed into law 08-07	Provides that when a sex offender's precinct polling place is a school and the offender will be unable to enter the school to vote because the offender is a child sex offender, the offender may vote early or by absentee ballot. Requires that an election authority that designates permanent or temporary early voting polling places must designate at least one that a child sex offender may lawfully enter. http://www.ilga.gov/legislation/95/HB/PDF/09500HB0263lv.pdf Title: H.B. 263 Sex Offenders' Polling Places Source: <i>Lexis-Nexis/StateNet</i>
IL	Amendatory Veto by Governor 08-07	Amends provisions of the Human Rights Act prohibiting sexual harassment in higher education so that they also apply to sexual harassment in elementary and secondary schools; includes private K-12 schools. http://www.ilga.gov/legislation/95/HB/PDF/09500HB1268lv.pdf Governor's message: http://www.ilga.gov/legislation/95/HB/PDF/09500HB1268gms.pdf Title: H.B. 1268 Prohibition of Sexual Harassment in K-12 Education Source: <i>Lexis-Nexis/StateNet</i>
IL	Signed into law 07-06	Amends the Teacher Certification Article of the School Code. Includes as unprofessional conduct for which a certificate may be suspended the failure to disclose on an employment application a previous conviction for a sex offense or any other offense committed in any other state or against the laws of the United States that, if committed in Illinois, would be punishable as a sex offense. http://www.ilga.gov/legislation/94/SB/PDF/09400SB0859lv.pdf Title: S.B. 859 Failure to Disclose Sex Offense Source: <i>Lexis-Nexis/StateNet</i>
IL	Signed into law 06-06	Amends the Criminal Code. Prohibits a child sex offender to knowingly operate, manage, be employed by, volunteer at, be associated with, or knowingly be present at a child day care facility, or a school providing before and after school programs for children under 18 years of age, with certain exceptions. Provides that the offender may reside within 500 feet of such facilities if the property is owned by the offender and was purchased before the effective date of this Act. http://www.ilga.gov/legislation/94/HB/PDF/09400HB5249lv.pdf Title: H.B. 5249 Sex Offenders Source: <i>Lexis-Nexis/StateNet</i>
IN	Signed into law 03-06	Prohibits a sex offender from working or volunteering on school property, at a youth program center, or at a public park. Creates new section defining "offender against children." http://www.in.gov/legislative/bills/2006/SE/SE0246.1.html Title: S.B. 246 Sex Offenders Source: <i>Lexis-Nexis/StateNet, www.in.gov/legislative</i>

KS	Signed into law 04-08	<p>Repeals definition of “school safety violation.” Rewrites provision relating to a student found in possession of a weapon or illegal drug at school or on school property, or who has engaged in an act or behavior at school or on school property that resulted in, or was substantially likely to have resulted in, serious bodily injury to others. Allows a student whose driver's license was suspended or revoked due to the student's suspension or expulsion to request a hearing to determine whether there are reasonable grounds to believe the student was in possession of a weapon or illegal drug at school or on school property, or was engaged in behavior at school or on school property that resulted in, or was substantially likely to have resulted in, serious bodily injury to others.</p> <p>Prohibits issuance or renewal of a teacher's license to a person convicted of rape, indecent liberties with a child, sodomy, indecent solicitation of a child, sexual exploitation of a child, incest, endangering a child, child abuse, murder, manslaughter, sexual battery, promoting obscenity or any felony. http://www.kslegislature.org/bills/2008/470.pdf</p> <p>Title: S.B. 470 School Safety Violations and Teaching License Issuance/Renewal to Offenders Source: <i>www.kslegislature.org</i></p>
LA	Signed into law 07-07	<p>Creates the crime of prohibited sexual conduct between an educator and a student who is at least 17 but less than 19; provides that such crime is committed when (1) an educator has sexual intercourse with such student, when the victim is not the spouse of the offender and is a student at the school where the educator is assigned, employed or working at the time of the offense or (2) the educator commits any lewd or lascivious act upon or in the presence of the student or (3) touches certain body parts of the student. Provides that the student's consent or lack of knowledge of the student's age shall not be a defense to any violation of this section.</p> <p>Defines “educator” as any administrator, coach, instructor, paraprofessional, student aide, teacher or teacher aide at any public or private school, assigned, employed, or working at the school or school system where the victim is enrolled as a student on a full-time, part-time or temporary basis.</p> <p>Provides that an individual found guilty of the crime of prohibited sexual conduct between an educator and a student when the student is 17 years of age or older, but less than 19 years of age, must be fined up to \$1,000, or imprisoned for up to 6 months, or both. Provides that for a second or subsequent offense, an offender may be fined up to \$5,000 and must be imprisoned, with or without hard labor, for 1-5 years.</p> <p>Requires any educator having cause to believe that prohibited sexual conduct has taken place between an educator and student must immediately report such conduct to a local or state law enforcement agency. Provides immunity for a report made in good faith. http://www.legis.state.la.us/billdata/streamdocument.asp?did=449962</p> <p>Title: H.B. 969 Prohibited Sexual Conduct Between Educator and a Student Source: <i>www.legis.state.la.us</i></p>

LA	Signed into law 06-06	<p>Requires local boards, prior to hiring any employee, to sign a statement that:</p> <ol style="list-style-type: none"> 1. Provides procedures for the disclosure of information by the applicant's current or previous employer, if such employer is a public school board, on all instances of sexual misconduct with students the applicant committed. 2. Releases the applicant's current or previous employer, if such employer is a public school board, and any school employee acting on behalf of such employer from any liability for providing any such information. <p>Requires local boards to request information in (1) above prior to hiring an applicant. Requires current or previous employer, within 20 days of receipt of request, to make available to the hiring school board copies of all documents in the applicant's personnel file relative to such instances of sexual misconduct, if any.</p> <p>Directs the state board, by September 1, 2006, to adopt rules and regulations to define "sexual misconduct." http://www.legis.state.la.us/billdata/streamdocument.asp?did=406247</p> <p>Title: H.B. 1082 Background Checks Source: <i>www.legis.state.la.us</i></p>
LA	Signed into law 05-06	<p>Defines acts that constitute the crime of unlawful residence or presence of a sex offender. Acts include:</p> <ol style="list-style-type: none"> 1. The physical presence of the offender in, on or within 1,000 feet of the school property of any public or private elementary or secondary school or the physical presence in any school transportation vehicle or at a school-related activity when persons under the age of 18 years are present on the school property or in a school vehicle. 2. The offender establishing a residence within 1,000 feet of any public or private elementary or secondary school. <p>Provides that these provisions are not violated if the offender has permission to be present on school premises from the district superintendent in the case of a public school or the principal or headmaster in the case of a private school. Provides that if the superintendent grants an offender permission to be present on public school property, the superintendent must notify the principal at least 24 hours in advance of the offender's visit. Requires this notification to include the nature of the visit and the date and time in which the sex offender will be present in the school. Requires the offender to notify the principal's office upon arrival on the school property and upon departing from the school. If the offender is to be present in the vicinity of children, requires the offender to remain under the direct supervision of a school official.</p> <p>Provides that any superintendent, principal or school master who acts in good faith in compliance with these provisions is immune from civil or criminal liability for his actions in connection with any injury or claim arising from an offender being present on school property pursuant to permission granted by that superintendent, principal or school master. http://www.legis.state.la.us/billdata/streamdocument.asp?did=391471</p>

		<p>Title: H.B. 882 Sex Offenders on School Property Source: www.legis.state.la.us</p>
LA	Signed into law 06-04	<p>Existing law barred a sexually violent predator from living within 1000 feet of a public or private elementary or secondary school. Amendment adds that sexually violent predator may also not reside within 1000 feet of a day care facility, playground, public or private youth center, public swimming pool or free-standing video arcade facility. Creates new section stating that sexual offender whose offense involved a minor may not be eligible for probation, parole, or suspension of sentence unless, as a condition thereof, the sexual offender is prohibited from:</p> <ol style="list-style-type: none"> a) Going in, on or within 1000 feet of the school property of any public or private, elementary or secondary school, or the physical presence in any motor vehicle or other means of conveyance owned, leased, or contracted by such school to transport students to or from school or a school-related activity when persons under the age of 18 years are present on the school property or in a school vehicle. b) Going in, on or within 1000 feet of a day care facility, playground, public or private youth center, public swimming pool or free-standing video arcade facility. c) Physically residing within 1000 feet of any public or private elementary or secondary school, day care facility, playground, public or private youth center, public swimming pool or free-standing video arcade facility. d) Communicating, either in written or oral form, with the victim or a family member of the victim, unless the victim consents to such communication in writing. <p>Sexually violent predator may be present on school property with a public district superintendent's permission or the permission of a principal or headmaster of a private school.</p> <p>Specifies that individual who violates these provisions shall have his probation, parole or suspension of sentence revoked and shall be fined not more than \$1,000 or imprisoned for not more than six months, or both.</p> <p>Establishes a pilot program, to be implemented by the department of public safety and corrections, using a location tracking and crime correlation based electronic monitoring supervision program for sex offenders and violent offenders. http://www.legis.state.la.us/leg_docs/04RS/CVT5/OUT/0000LQ3B.PDF</p> <p>Title: S.B. 164 Sexually Violent Predators Source: www.legis.state.la.us</p>
LA	Signed into law 06-03	<p>ECS NOTE: This type of provision is very common across states. Adds a charge of immorality as a cause for dismissal of a teacher, bus driver or permanent employee; defines immorality as conviction of a felony offense against the public morals. http://www.legis.state.la.us/bills/byinst.asp?sessionid=03RS&billid=HB778&doctype=BT</p>

		<p>Title: H.B. 778 Immorality Grounds for Dismissal of School Employees Source: <i>www.legis.state.la.us</i></p>
MD	<p>Rule Adoption 06-03</p>	<p>Establishes that all students in Maryland's public schools, without exception and regardless of race, ethnicity, region, religion, gender, sexual orientation, language, socioeconomic status, age or disability, have the right to educational environments that are: A. Safe; B. Appropriate for academic achievement; and C. Free from any form of harassment.</p> <p>Title: COMAR 13A.01.04.03 Student Right to Safe School Environment Source: <i>StateNet</i></p>
ME	<p>Signed into law 06-05</p>	<p>Defines unacceptable student behavior; as including, but not limited to, behavior that negatively affects a student's ability to perform academically or socially, such as: bullying, harassment, sexual harassment, quid pro quo sexual harassment, which is when the perpetrator forces the victim to perform a favor or assume some responsibility for the harassment; or hostile-environment sexual harassment, which is when the perpetrator's behavior affects the victim's ability to perform effectively in the school environment. Requires each districtwide student code of conduct to establish policies and procedures to address bullying, harassment and sexual harassment.</p> <p>http://www.mainelegislature.org/legis/bills/billtexts/LD056401-1.asp</p> <p>Title: LD 564 Student Code of Conduct Source: <i>State Net</i></p>
ME	<p>Signed into law 06-99</p>	<p>Eliminates the statute of limitations for criminal prosecution for unlawful sexual contact or sexual abuse of minors if the victim was under the age of 16, or 18 if the perpetrator was a school employee.</p> <p>Title: H.B. 1412 Eliminates Statute of Limitations for Sexual Offenses Source: <i>Lexis-Nexis/StateNet</i></p>
MI	<p>Signed into law 12-02</p>	<p>Provides that it is criminal sexual conduct if the victim is a minor between certain age groupings and the actor is a teacher, administrator or other employee or contractual services provider of a public or nonpublic school in which the victim is enrolled.</p> <p>http://www.michiganlegislature.org/documents/2001-2002/publicact/pdf/2002-PA-0714.pdf</p> <p>Title: S.B. 1127 Criminalizes Sexual Conduct Between School Employees and Students Source: <i>StateNet</i></p>
MO	<p>Signed into law 10-11</p>	<p>Modifies S.B. 54. SCS/SB 1 c[][] This act modifies provisions relating to communications between school district employees and students. Current law requires each school district to promulgate a written policy on teacher-student and employee-student communication by January 1, 2012, which would include restrictions on teachers' use of work-related internet sites and nonwork-related internet sites, as described in the act.</p> <p>This act modifies the components that must be included in each school district's</p>

		<p>policy. It repeals the existing components and requirements and instead requires each district to promulgate a written policy concerning employee-student communication by March 1, 2012. The policy must include, but not be limited to, the use of electronic media and other mechanisms to prevent improper communications between staff members and students. This act repeals the prohibition on a teacher establishing, maintaining, or using a work-related internet site unless it is available to school administrators and the child's legal custodian, physical custodian or legal guardian. This act also repeals the prohibition on a teacher establishing, maintaining or using a nonwork-related Internet site which allows exclusive access with a current or former student. This act also repeals the definitions of: exclusive access, former student, work-related internet site and nonwork-related Internet site.</p> <p>http://www.senate.mo.gov/11info/BTS_Web/Bill.aspx?SessionType=S1&BillID=4696921</p> <p>Title: S.B. 1 Staff/Student Internet Use Source: http://www.senate.mo.gov</p>
MO	Signed into law 06-03	<p>Adds that pleading guilty or being found guilty of enticement of a child or attempting to entice a child are offenses that will cause a teaching license to be revoked. Adds that when a teaching certificate holder pleads guilty or is found guilty of any offense that would authorize the state board of education to seek discipline against that holder's certificate of license to teach, the local board of education or the department of elementary and secondary education shall immediately provide written notice to the state board of education and the attorney general regarding the plea of guilty or finding of guilty.</p> <p>http://www.senate.state.mo.us/03info/billtext/tat/sb296.htm</p> <p>Title: S.B. 296 (multiple provisions) Source: www.senate.state.mo.us</p>
MS	Signed into law 03-11	<p>Adds to grounds for revocation or suspension of a teacher or administrative license: (g) The license holder has engaged in unethical conduct relating to an educator/student relationship as identified by the State Board of Education in its rules; (h) The license holder has fondled a student, had any type of sexual involvement with a student; or (i) The license holder has failed to report sexual involvement of a school employee with a student. Provides a legal duty for school superintendents to report incidences of sexual involvement of school employees with a student, and provides criminal penalties for failure to report.</p> <p>http://billstatus.ls.state.ms.us/documents/2011/pdf/HB/0600-0699/HB0641SG.pdf</p> <p>Title: H.B. 641 Teacher License Suspension/Revocation For Sexual Contact Source: http://billstatus.ls.state.ms.us</p>
NC	Signed into law 05-03	<p>Clarifies that it is a felony for a school safety officer to have sexual contact or take indecent liberties with a student.</p> <p>Title: S.B. 555 School Safety Officers Source: <i>StateNet</i></p>

NC	Signed into law 05-01	Requires local boards to adopt policies addressing the sexual harassment of school employees. Title: H.B. 1149 Employee Sexual Harassment Source: <i>Lexis-Nexis/StateNet</i>
ND	Signed into law 04-07	Prohibits sexual offenders from being near public and nonpublic schools and establishes penalties. http://www.legis.nd.gov/assembly/60-2007/bill-text/HBIU0500.pdf Title: H.B. 1472 Prohibits Sexual Offenders Near Schools Source: <i>http://www.legis.nd.gov</i>
NV	Signed into law 06-03	Provides that the employment of a teacher for whom a license is required must be suspended or terminated for failure to maintain a license in force; prescribes administrative procedural protections for certain teachers who are suspended for failure to maintain a license in force; revises the definition of immorality applicable to the licensed employees of a school district to include certain inappropriate sexual activity with a student. (BDR 34-450) Title: S.B. 460 Suspension of Licenses Source: <i>StateNet</i>
NV	Signed into law 06-01	Prohibits harassment, intimidation and discrimination in public schools; requires the Department of Education to prescribe a policy for public schools to provide a safe and respectful learning environment; requires the boards of trustees of school districts to adopt local polices and to provide appropriate training for personnel. Title: A.B. 459 Harassment, Intimidation, Discrimination Source: <i>Lexis-Nexis/StateNet</i>
NV	Signed into law 05-01	Revises provisions governing sexual conduct between pupils and persons in position of authority at schools. Title: S.B. 183 Sexual Conduct Source: <i>Lexis-Nexis/StateNet</i>
NY	Signed into law 07-08	Provides for the automatic revocation of a teaching certificate held by a teacher convicted of a sex offense; provides for the termination of education personnel without a hearing upon such conviction. http://assembly.state.ny.us/leg/?bn=A11500&sh=t Title: A.B. 11500 Revocation of Teaching Certificate Source: <i>Lexis-Nexis/StateNet</i>
OH	Signed into law 12-09	Enacts the Tina Croucher Act to require school districts to adopt a dating violence prevention policy as part of its policy prohibiting harassment, intimidation, or bullying, and to include age-appropriate dating violence prevention education in the health education curriculum in grades 7-12. Directs the state board to update its model policy to prohibit harassment, intimidation or bullying to include violence within a dating relationship. Requires the department of education Web

		<p>site to provide links to free curricula addressing dating violence prevention, to assist districts in developing a dating violence prevention education curriculum. Amends definition of “harassment, intimidation or bullying” to include violence within a dating relationship. Requires local boards to incorporate dating violence prevention training into certain inservice training already required for middle and high school employees. Pages 1-5, 7-8, 16 of 18: http://www.legislature.state.oh.us/BillText128/128_HB_19_EN_N.pdf</p> <p>Title: H.B. 19 - Dating Violence Prevention Dating Violence Prevention Source: <i>www.legislature.state.oh.us</i></p>
OK	Signed into law 05-01	<p>Adds new definition of rape. Where the victim is at least 16 years of age and is less than 18 years of age and is a student, or under the legal custody or supervision of any public or private elementary or secondary school, junior high or high school, or public vocational school, and engages in sexual intercourse with a person who is 18 years of age or older and is an employee of the same school system, rape in the second degree applies.</p> <p>Title: S.B. 716 Employee Relationships With Students Source: <i>Oklahoma Legislative Web Site</i></p>
OR	Adopted 06-08	<p>Prohibits discrimination based on sexual orientation and color in schools, programs, services and activities. OREGON 29387</p> <p>Title: OAR 581-021-0045, -0046, -024-0205, -0245, -045-001, -049-0020 Prohibits Discrimination Based on Sexual Orientation and Color Source: <i>Lexis-Nexis/StateNet</i></p>
OR	Unofficially rejected by voters 11-00	<p>MEASURE 9 Prohibits public school instruction (K-12 or Community College level) from encouraging, promoting, or sanctioning homosexual and bisexual behaviors.</p> <p>Title: V. 32 Ballot Initiative Source: <i>Lexis-Nexis/StateNet</i></p>
OR	Signed into law 06-97	<p>Relates to the State Board of Education to adopt minimum requirements for school district policies on sexual harassment of students.</p> <p>Title: H.B. 2979 Sexual Harassment Source: <i>Lexis-Nexis/StateNet</i></p>
PA	Signed into law 07-04	<p>Amends the Public Employee Pension Forfeiture Act of 1978. Further defines “crimes related to public office or public employment” to include certain sexual offenses committed by school employees against students. http://www2.legis.state.pa.us/WU01/LI/BI/BT/2003/0/SB0157P1766.pdf</p> <p>Title: S.B. 971 Public Employee Pension Forfeiture Source: <i>http://www2.legis.state.pa.us</i></p>

TN	Signed into law 06-09	Prohibits the issuance of an arrest warrant or criminal summons without written approval of the appropriate district attorney general to the parents or legal guardians of a child who allege that an employee of a local education agency (LEA), who had supervisory or disciplinary power over the child, engaged in conduct that harmed the child. http://www.capitol.tn.gov/Bills/106/Bill/HB1210.pdf Title: H.B. 1210 Allegations Against Employees Source: <i>http://www.capitol.tn.gov/</i>
TN	Signed into law 05-06	Requires students attending state-supported postsecondary institutions to take a course on hate crimes, sexual harassment, sexual battery and date rape; requires state-supported postsecondary institutions to renew financial aid for an additional year to athletic scholarship recipients who become academically ineligible to participate in a particular sport. http://www.legislature.state.tn.us/bills/currentga/BILL/SB3112.pdf Title: S.B. 3112; H.B. 3250 Student Safety Courses at Higher Education Institutions Source: <i>Tennessee Legislature</i>
TN	Signed into law 05-06	Concerns Education, Curriculum; requires local education agencies to implement sexual violence awareness and prevention education for high school students. http://www.legislature.state.tn.us/bills/currentga/BILL/SB0595.pdf Title: S.B. 595; H.B. 0374 Sexual Violence Awareness Program Source: <i>Tennessee Legislature</i>
TX	Signed into law 06-11	Requires a superintendent or director of a school district to complete an investigation of an educator based on reasonable cause to believe the educator may have engaged in abuse or an unlawful act with a student or minor, despite the educator's resignation from district employment before completion of the investigation. Provides that if a district or open-enrollment charter school employee is employed under a probationary, continuing or term contract and the district or charter school receives notice that the employee's certificate has been revoked, or if the district or charter school becomes aware that such a person has been convicted of or received deferred adjudication for a felony offense, and the district has not receive notice that the person's license has been revoked, the district or school must suspend the person without pay, provide the person with written notice that the person's contract is void, and terminate the person's employment as soon as practicable. Provides that such action is not subject to appeal, and that notice and hearing requirements do not apply to the action. Provides that a certified employee of a public or private K-12 school commits an offense if the employee engages in sexual contact, sexual intercourse or deviate sexual intercourse with a person the employee knows is enrolled in a school in the same district the employee works in, or a student participant in an educational activity sponsored by a district or a public or private K-12 school, if the employee provides education services to these participants. Provides circumstances that are an affirmative defense to prosecution.

		<p>http://www.capitol.state.tx.us/tlodocs/82R/billtext/pdf/HB01610F.pdf#navpane_s=0</p> <p>Title: H.B. 1610 Unlawful Acts with Students Source: <i>www.capitol.state.tx.us</i></p>
TX	Signed into law 06-09	<p>Requires districts to adopt policies regarding sexual abuse of children. Specifies that policies must address methods of increasing parent, student and teacher awareness of sexual abuse of children, including warning signs that a child may be a victim of sexual abuse; actions that a child victim of sexual abuse should take to obtain assistance; and available counseling options for students affected by sexual abuse.</p> <p>Establishes task force to develop a strategy for reducing child abuse and improving child welfare. Directs the task force to develop goals for state policy to prevent child abuse, and submit a strategic plan by November 2010 to accomplish those goals.</p> <p>http://www.legis.state.tx.us/tlodocs/81R/billtext/pdf/HB01041F.pdf</p> <p>Title: H.B. 1041 Child Sexual Abuse and Child Abuse Source: <i>www.legis.state.tx.us</i></p>
TX	Signed into law 06-03	<p>The Educators' Code of Ethics states that an educator should not "solicit or engage in sexual conduct or a romantic relationship with a student." Though an educator may be sanctioned for violation of this rule, there are currently no laws that would prohibit sexual relations between a school employee and a student. H.B. 532 creates the offense of improper sexual relations between employees of a public or private primary or secondary school and students younger than 18 years of age. (Bill Analysis, Senate Research Center)</p> <p>http://www.capitol.state.tx.us/cgi-bin/tlo/textframe.cmd?LEG=78&SESS=R&CHAMBER=H&BILLTYPE=B&BILLSUFFIX=00532&VERSION=5&TYPE=B</p> <p>Title: H.B. 532 Improper Sexual Relations in Schools Source: <i>http://www.capitol.state.tx.us</i></p>
TX	Signed into law 06-03	<p>Requires a superintendent or director of a school district, regional educational service center or shared services arrangement, to file a report with SBEC if a superintendent has reason to believe that an educator has engaged in certain incidents of misconduct. This bill also requires school districts to include information on this requirement in staff development programs. Requires the Department of Protective and Regulatory Services (DPRS) to orally notify a school superintendent if DPRS investigates a public primary or secondary school employee. (Bill Analysis, House Committee)</p> <p>http://www.capitol.state.tx.us/cgi-bin/tlo/textframe.cmd?LEG=78&SESS=R&CHAMBER=S&BILLTYPE=B&BILLSUFFIX=01488&VERSION=5&TYPE=B</p> <p>Title: S.B. 1488 Child Abuse Source: <i>http://www.capitol.state.tx.us</i></p>

UT	Signed into law 03-08	Requires the State Board of Education to permanently revoke an educator's license if the educator commits a sexual offense against a minor or engages in sexually explicit conduct with a student. http://le.utah.gov/~2008/bills/hbillenr/hb0286.pdf Title: H.B. 286 License Revocation for Sexual Offense or Sexually Explicit Conduct Source: <i>Lexis-Nexis/StateNet</i>
UT	Signed into law 03-08	Requires the state board of education to revoke an educator's license if the educator commits a sexual offense against a minor or engages in sexually explicit conduct with a student. http://le.utah.gov/~2008/bills/hbillenr/hb0287.pdf Title: H.B. 287 License Revocation for Sexual Offense or Sexually Explicit Conduct Source: <i>le.utah.gov</i>
UT	Adopted 01-08	Provides definitions, standards for educators as role models, standards for educators to maintain a safe learning environment, standards for professional educator, responsibility for compliance with school district policies and standards for professional educator conduct. Title: R277-515 Educator Standards Source: <i>www.rules.utah.gov</i>
UT	Signed into law 03-07	Prohibits sex offenders from being in specified protected areas, which include a public or private primary or secondary school that is not on the grounds of a correctional facility and any licensed day care or preschool facility; provides limited exceptions for presence of sex offenders on such protected areas. http://le.utah.gov/~2007/bills/hbillenr/hb0375.htm Title: H.B. 375 Sex Offenders Prohibited On Schools, Pre-schools & Day Care Facilities Source: <i>http://www.le.state.ut.us/</i>
VA	Signed into law 03-11	Provides that any family life education curriculum offered by a local school division shall require the Standards of Learning objectives related to dating violence and the characteristics of abusive relationships to be taught at least once during middle school and at least twice during high school. http://lis.virginia.gov/cgi-bin/legp604.exe?111+ful+SB906ER+pdf Title: S.B. 906 Family Life Education Source: <i>http://lis.virginia.gov</i>
VA	Signed into law 03-07	Provides that as a condition of awarding a contract for the provision of services that require the contractor or his employees to have direct contact with students on school property during regular school hours, the school board must require the contractor to provide certification that all employees who will have direct contact with students have not been convicted of a felony or any offense involving the sexual molestation or physical or sexual abuse or rape of a child. The bill also provides that the requirement be waived in emergency situations

		<p>when it is reasonably anticipated that the contractor or his employees will have no direct contact with students. This bill is identical to SB 1346, which also passed and was sent to the governor.</p> <p>http://leg1.state.va.us/cgi-bin/legp504.exe?071+ful+HB1707ER http://leg1.state.va.us/cgi-bin/legp504.exe?071+ful+SB1346ER</p> <p>Title: H.B. 1707, S.B. 1346 Requires School Contractors Verify Employee Sex Offender Status Source: <i>http://legis.state.va.us/</i></p>
VA	Signed into law 03-07	<p>Provides that an adult who has been convicted of a sexually violent offense is guilty of a Class 6 felony if he enters or is present on, during school hours, any property he knows or has reason to know is a public or private elementary or secondary school or child day center property, unless he (1) is lawfully voting; (2) is a student enrolled at the school; or (3) has received a court order allowing him to enter upon such property. The bill provides that such an adult may petition the juvenile and domestic relations district court or circuit court in the county or city where the school or child day center is located for permission to enter such property. For good cause shown, the court may issue an order permitting the petitioner to enter and be present on such property, subject to restrictions the court deems appropriate.</p> <p>This bill is similar to SB 927, which also passed the legislature and was sent to the governor.</p> <p>http://leg1.state.va.us/cgi-bin/legp504.exe?071+ful+HB2344ER http://leg1.state.va.us/cgi-bin/legp504.exe?ses=071&typ=bil&val=sb927</p> <p>Title: H.B. 2344, S.B. 927 Sex Offenders Prohibited On School Property Source: <i>http://legis.state.va.us/</i></p>
VA	Signed into law 04-06	<p>Adds to definition of “abused or neglected child” to include a child whose parents or other person responsible for his care creates a substantial risk of physical or mental injury by knowingly leaving the child alone in the same dwelling with a person to whom the child is not related by blood or marriage and who the parent or other person responsible for his care knows has been convicted of an offense against a minor for which registration is required as a violent sexual offender.</p> <p>http://leg1.state.va.us/cgi-bin/legp504.exe?061+ful+CHAP0868</p> <p>Title: H.B. 1066 Definition of Abused Child Source: <i>leg1.state.va.us</i></p>
VA	Signed into law 04-06	<p>Provides that every adult who has been convicted of certain sex offenses occurring on or after July 1, 2006, where the victim is 13 or younger and the offender is more than three years older than the victim, must be forever prohibited from working or engaging in any volunteer activity on property he knows or has reason to know is public or private elementary or secondary school or child day center property. Provides that a violation of this section is punishable as a Class 6 felony.</p> <p>Provides that an employer of a person who violates this section, or any person who procures volunteer activity by a person who violates this section, and the</p>

		<p>school or child day center where the violation of this section occurred, are immune from civil liability unless they had actual knowledge that such person had been convicted of a specified offense.</p> <p>http://leg1.state.va.us/cgi-bin/legp504.exe?061+ful+CHAP0853</p> <p>Title: H.B. 846 Sex Offenders Source: <i>leg1.state.va.us</i></p>
VT	Signed into law 04-04	<p>Requires boards to adopt policies prohibiting harassment and hazing, including sexual harassment. The stated intent is to: the intent of the General Assembly to:</p> <ol style="list-style-type: none"> 1. Clarify the definition of harassment 2. Encourage education and training of teachers and school personnel on harassment issues 3. Recognize that students should be free of harassment in educational institutions 4. Recognize that educational institutions should have the opportunity to remedy promptly and appropriately allegations of harassment 5. Foster communication in educational institutions. <p>Any institution that receives actual notice of alleged conduct that may constitute harassment must promptly investigate to determine whether harassment occurred. If conduct is verified, finds that the alleged conduct occurred and that it constitutes harassment, the educational institution must take prompt and appropriate remedial action reasonably calculated to stop the harassment. Provides for independent review.</p> <p>http://www.leg.state.vt.us/docs/legdoc.cfm?URL=/docs/2004/acts/ACT091.HTM</p> <p>Title: H.B. 113 Harassment in Schools Source: <i>StateNet</i></p>
VT	Signed into law 08-94	<p>(Effective: 07/01/94) This act defines harassment on the basis of race, creed, color, national origin, marital status, sex, sexual orientation or disability and requires that independent and public schools, the University of Vermont and the Vermont State Colleges adopt policies prohibiting harassment of students and establishing clear procedures for receiving and handling complaints of harassment of students. The act also directs the Commissioner of Education to work with the Governor's Commission on Women and the Human Rights Commission to develop model policies and procedures that schools could use to fulfill the requirements of this act.</p> <p>Title: S313 Harassment Source: <i>Summary of Acts and Resolutions</i></p>
WA	Rule Adoption 11-04	<p>Adopts a new chapter to the Board of Education policies. Provides definitions of sexual misconduct, verbal abuse and physical abuse. Relates to situations of mandatory disclosure and prohibited agreements. WASHINGTON REG 23819 (SN)</p> <p>Title: WAC 180-88-010 thru -060 Definitions of Abuse Source: <i>StateNet</i></p>

WA	Signed into law 03-04	Relates to providing increased access to information on disciplinary actions taken against school employees; relates to providing known information regarding employees' sexual misconduct when those employees attempt to transfer to different school districts. Title: S.B. 5533 Access to School Employee Discipline Records Source: <i>StateNet</i>
WA	Signed into law 03-04	Regards investigation of complaints against school employees of sexual misconduct or physical abuse towards a child. Title: S.B. 6171 Complaint Against School Employees Investigation Source: <i>StateNet</i>
WA	Vetoed 05-01	Relates to sexual misconduct with a minor by a person who is a school employee and knowingly causes another person under the age of 18 to have sexual contact with a registered student who is at least 16 years of age and not married to the employee; provides such conduct is a gross misdemeanor. Title: H.B. 1091 Sexual Misconduct Source: <i>Lexis-Nexis/StateNet</i>
WA	Signed into law 04-94	(Effective: 04/01/94) By Dec 31, 1994, the State Superintendent must develop criteria for use by school districts in developing sexual harassment policies. By June 30, 1995, every school district must adopt and implement a written policy concerning sexual harassment. The policy shall apply to all employees, volunteers, parents, and students, including, but not limited to, conduct between students. The district policy must be conspicuously posted throughout each school building and provided to each employee. (1994 End of Session Report) Title: SH.B. 2153 Sexual Harassment Policies Source: <i>Senate Education Committee</i>
WI	Signed into law 04-06	Expands penalties for sexual assault on a child from instructional staff position to staff person or a person who works or volunteers with children. http://www.legis.state.wi.us/2005/data/acts/05Act274.pdf Title: S.B. 349 Sexual Assault Source: <i>http://www.legis.state.wi.us</i>
WI	Signed into law 03-04	Provides certain orientation information regarding sexual assault or sexual harassment, including information on sexual assault by acquaintances of the victim, to University of Wisconsin System students electronically. Title: S.B. 247 Student Orientation Information Source: <i>StateNet</i>
WV	Signed into law 07-06	Relates to the Child Protection Act with provisions requiring county boards of education, to the extent funds are provided, to establish programs for the prevention of child abuse and neglect and child assault to be provided to pupils, parents and school personnel as deemed appropriate; authorizes county school boards to request from the State Criminal Identification Bureau the record of any

		<p>and all criminal convictions of it future employees relating to child abuse, sex-related offenses or possession of controlled substances with intent to distribute; allows county school boards to obtain information from the Central Abuse Registry with prior written consent regarding school contractors, service providers and their employees and to share such information with other county school boards; prohibits contractors or service providers or their employees from making direct, unaccompanied contact with students or having unaccompanied access to school grounds when students are present if it cannot be verified that the contractors, service providers or employees have not previously been convicted of the noted offenses.</p> <p>http://www.legis.state.wv.us/Bill_Text_HTML/2006_SESSIONS/1x/BILLS/hb101%20ENR.htm</p> <p>Title: H.B. 101A Child Abuse Prevention Programs & Background Checks Source: <i>http://www.legis.state.wv.us/bill_status/bstatmenux/bstatfrm.cfm</i></p>
WV	Passed 12-96	<p>Requires all education agencies to develop a plan to educate all school personnel and students about the behaviors that would be considered to be harassment or violence; to develop and implement prevention programs; and to investigate and follow up on any reported incidences.</p> <p>Title: 126-18 Racial, Sexual, Religious/Ethnic Harassment and Violence Policy Source: <i>State Superintendent of Schools</i></p>