

2019 HOUSE EDUCATION

HB 1277

2019 HOUSE STANDING COMMITTEE MINUTES

Education Committee
Coteau A Room, State Capitol

HB 1277
1/15/2019
30780

- Subcommittee
 Conference Committee

Committee Clerk: Bev Monroe

Explanation or reason for introduction of bill/resolution:

Relating to medically accurate and age appropriate sexual abuse education in schools

Minutes:

Attachment 1

Chairman Owens: Opened the hearing on HB 1277

Rep. Satrom: Two years, I received a call from a constituent, who is also a pastor and he shared that sexual abuse is an issue concerning him. He recommended I submit a bill to address it. A bill was passed for a task force to prevent child sexual abuse. The task force was comprised of 3 legislators and some very capable experts. I had asked for a more encompassing people, but that was not how it happened. The idea was that they come up with a step-by-step approach and after several years would be culminating in eventual recommendation for sexual abuse prevention training. The bill I'm recommending today allows us to make a difference right away. Laws regarding sexual abuse prevention are presently in place in all but about seven states. This effort was spearheaded by Erin Marin from Illinois (a friend of mine). Written testimony she provided me with several years ago I would like to read to you. (1:50-4:24) Many parents should be having this conversation. Next to the home, school is the next place children are spending time. Unfortunately, most of the abuse isn't happening from strangers. It's from people they know and trust, perhaps in the family or a neighbor. What this bill proposes is not about sex education, it's about body safety, good and bad touching. It's about protecting them from sexual abuse. I'm suggesting an hour or two out of every school year. Time that would make the difference between a child telling or suffering through many years of abuse. States have developed a curriculum so there is a wealth of input to implement our own ideas. Parents are allowed to opt out if they so choose. Every Child Succeeds Act could provide some federal funding. I would encourage you to do this. There are some non-public school groups that would like to be exempted from this bill and wouldn't be opposed from allowing them to opt out. The material should be allowed to be provided to them. I think once they see it, they would use it. 8:18

Chairman Owens: Are there any questions from the committee?

Vice Chairman Cynthia Schreiber-Beck: Did you say 'laws in seven states' or 'laws in all but seven states'.

Rep. Satrom: In all but seven states.

Vice Chairman Cynthia Schreiber-Beck: Are you talking laws or this particular type, what are you saying?

Rep. Satrom: From what I understand, most states have something regarding sexual abuse in place.

Vice Chairman Cynthia Schreiber-Beck: Starting in curriculum?

Rep. Satrom: Are you asking me if they're implementing it? From what I understand there are laws in place in all but seven states.

Chairman Owens: Anyone else in support? Anyone in opposition to HB1277?

Linda Feldner, NDCEL: (See Attachment #1)

Chairman Owens: Any questions?

Rep. Mary Johnson: Do you have any idea what are the best ways to address it?

Linda Feldner: No, we do not. But that is the point. You are asking educators who do content area things to jump ahead and deal with child sexual abuse and they have no training in that area.

Rep. Mary Johnson: Can part of the recommendations be to provide that training? I have a hard time believing that the instructors of health and human relationships in the Fargo School District no nothing of child sexual abuse.

Linda Feldner: That could be the case but this bill doesn't say that. It says it will be in the health curriculum. There is no training provided, there is no fiscal note on providing that training. There is no indication of who is going to provide the training to those teachers and where is that found. Who is doing the research base. In the bill it says that it should be research and evidence based. Who is that? I think that is an important issue, but assigning it to K-12 is premature without being more thought out.

Rep. Mary Johnson: In conjunction with the previous bill, it says that the recommendations of the task force may include age appropriate curriculum for students.

Linda Feldner: We don't feel that it is appropriate at this time. NDCEL feels it needs to be flushed out by the experts in the community before it is handed off.

Rep. Mary Johnson: I think that is the point. That is exactly what the task force will determine. If they may end up 'not', because it says 'may' in the previous bill to which your testimony is very similar, which may include age appropriate curriculum; maybe looking at this after consulting with experts (hopefully Ms. Frissell and the other prevention of child abuse) they will contribute to this discussion. It is not black and white right now. I see it as 'may' which also includes 'may not'.

Linda Feldner: It says require and shall.

Rep. Ron Guggisberg: The frustration is that we know there is a problem and someone from K-12 should have been included in this task force, discussion and planning. It doesn't mean you can't do it. It might have to have more research done. It is something that can be done.

Chairman Owens: Any questions from the committee?

Rep. Hoverson: Do you think when this approach is put into the school system, it has a high potential of exposing children to appropriate or inappropriate information. It exposes them to many scenarios and language that they aren't on the same page on. Is there a risk?

Linda Feldner: Absolutely. When it says age appropriate, how do you determine that and where is that teacher to implement the age appropriate material. It is a very sensitive topic. It's an area I don't think our teachers should deal with without the appropriate training. We don't think the solution being provided is really the best one. It needs more time and flushing out. It does say require and it does say shall.

Chairman Owens: Any further questions?

Rep. LaurieBeth Hager: I think school counselors would be more adequately prepared to address an 'age appropriate'. That's all the training a school counselor receives at a master's level. If this came across your desk and knew it would be part of the curriculum, you would go further and make sure you were ready to address this in an appropriate way. We need to look the entire school system. Postponing this affects many lives.

Chairman Owens: Are you familiar with the necessary training for school counselors in ND? Are there any other questions from the committee? Anyone in opposition? Neutral testimony?

Robin Lang, Assistant Director, NDDPI: We do not employ content experts. We do not create or write curriculum and nor do we have the authority to determine curriculum. That is determined at that local level based on their work with their constituents.

Chairman Owens: Any other neutral testimony? Closed the hearing on HB 1277.

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Education Committee
Coteau A Room, State Capitol

HB 1277
2/12/2019
32571

- Subcommittee
 Conference Committee

Committee Clerk: Bev Monroe

Explanation or reason for introduction of bill/resolution:

Relating to medically accurate and age appropriate sexual abuse education in schools

Chairman Owens: Discussion on HB 1277.

Vice Chairman Cynthia Schreiber-Beck: I Move for a **Do Not Pass** on HB 1277.

Representative Denton Zubke: **Seconded.**

Chairman Owens: Any comments?

Vice Chairman Cynthia Schreiber-Beck: As we learned in some of the testimony, curriculum is not the way to go with this. It could cause a lot of issues within the school setting.

Chairman Owens: Any further questions?

A Roll Call Vote was taken: **Yes 14, No 0, Absent 0.** A **Do Not Pass** carries. Rep. M. Johnson will carry HB 1277.

Date: 2-12-19
Roll Call Vote #: 1

**2019 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1277**

House Education Committee

Subcommittee

Amendment LC# or Description: _____

Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
Other Actions: Reconsider _____

Motion Made By Rep. Schreiber-Beck Seconded By Rep. D. Zubke

Representatives	Yes	No	Representatives	Yes	No
Chairman M. Owens	✓		Rep. Guggisberg	✓	
V. Chair. Schreiber-Beck	✓		Rep. Hager	✓	
Rep. Heinert	✓				
Rep. Hoverson	✓				
Rep. D. Johnson	✓				
Rep. M. Johnson	✓				
Rep. Johnston	✓				
Rep. Longmuir	✓				
Rep. Marschall	✓				
Rep. Pyle	✓				
Rep. Strinden	✓				
Rep. Zubke	✓				

Total (Yes) 14 No 0

Absent 0

Floor Assignment Rep. M. Johnson

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1277: Education Committee (Rep. Owens, Chairman) recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1277 was placed on the Eleventh order on the calendar.

2019 TESTIMONY

HB 1277



125 Slate Drive STE 7 Bismarck, ND 58508

HB 1277
1/15/19
#1

**House Education
January 15, 2019
HB 1277
Testimony in Opposition**

Chairman Owens and members of the House Education Committee my name is Lisa Feldner, representing the North Dakota Council of Educational Leaders. We stand before you today in opposition to HB 1277 which creates a new chapter in Century Code on child sexual abuse education.

The bill requires each school district and nonpublic school to ensure a portion of its health curriculum is related to sexual health pertaining to medically accurate and age-appropriate sexual abuse education.

NDCEL has several concerns.

1. The staff at the Department of Public Instruction are not experts in child sexual abuse. They are educators. Asking people without appropriate training to develop information in an area as sensitive as this is not advisable.
2. Teachers are not experts in behavioral and mental health issues. Their training does not include the teaching of medically accurate and age appropriate sexual abuse education.
3. This is yet another example of society's ills being handed off to public schools to deal with. Teaching about sexual abuse is taking time away from other required disciplines.
4. By requiring the information be made available to all students, it could trigger memories in sexual abuse victims causing them to relive their trauma.

NDCEL agrees that child sexual abuse is a very serious problem. However, we do not believe the requirements in this bill are the best way to address it.

Thank you for allowing us to provide our input.