

State of South Dakota

NINETY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2016

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HOUSE BILL NO. 1247

Introduced by: Representatives Gosch, Anderson, Bartling, Haggar (Don), Hawley, Langer, and Westra and Senators Greenfield (Brock), Jensen (Phil), Monroe, Olson, Omdahl, and Van Gerpen

1 FOR AN ACT ENTITLED, An Act to require school districts and licensed child welfare
2 agencies to implement a policy and provide training regarding sexual abuse and other
3 maltreatment of children.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. That chapter 13-1 be amended by adding a NEW SECTION to read:

6 Every school district shall adopt and implement a policy regarding sexual abuse and other
7 maltreatment of children that addresses the following:

- 8 (1) Methods of prevention and for increasing staff, student, and parent awareness of
9 issues regarding sexual abuse and other maltreatment of children, including
10 knowledge of likely warning signs indicating that a child may be a victim of sexual
11 abuse or other maltreatment;
- 12 (2) Actions that a child who is a victim of sexual abuse or other maltreatment should
13 take to obtain assistance and intervention;
- 14 (3) Available counseling options for students affected by sexual abuse or other



1 maltreatment.

2 The methods of prevention and for increasing awareness of issues regarding sexual abuse
3 and other maltreatment of children in subdivision (1) shall include:

- 4 (1) Research-based training and other educational opportunities concerning the
5 prevention and recognition of sexual abuse and all other forms of child maltreatment
6 for parents of school district students and for school district staff including teachers,
7 counselors, coaches, and any other professional staff members; and
8 (2) Strategies for coordination between the school district and appropriate community
9 organizations.

10 Section 2. That chapter 13-1 be amended by adding a NEW SECTION to read:

11 The training required for teachers and other professional staff members under section 1 of
12 this Act shall be provided annually and include training on the following:

- 13 (1) Factors indicating a child is at-risk for sexual abuse or other maltreatment;
14 (2) Likely warning signs indicating a child may be a victim of sexual abuse or other
15 maltreatment;
16 (3) Internal procedures for seeking assistance for a child who is at-risk for sexual abuse
17 or other maltreatment, including referral to a school counselor, a social worker, or
18 another mental health professional;
19 (4) Methods for reducing a child's risk of sexual abuse or other maltreatment; and
20 (5) Community organizations that have relevant existing research-based programs that
21 are able to provide training or other education for school district staff members,
22 students, and parents.

23 If a school district determines that the school district does not have sufficient resources to
24 provide the training required, the school district shall work in conjunction with a community

1 organization to provide the training at no cost to the school district.

2 Section 3. That chapter 26-6 be amended by adding a NEW SECTION to read:

3 Any agency or institution licensed as a child welfare agency under chapter 26-6 shall adopt
4 and implement a policy addressing sexual abuse and other maltreatment of children. The policy
5 required in this section shall address the following:

6 (1) Methods of prevention and for increasing child-care facility staff and parent
7 awareness of issues regarding sexual abuse and other maltreatment of children,
8 including knowledge of likely warning signs indicating that a child may be a victim
9 of sexual abuse or other maltreatment;

10 (2) Actions that the parent of a child younger than five years of age who is a victim of
11 sexual abuse or other maltreatment should take to obtain assistance and intervention;

12 (3) Available counseling options for children affected by sexual abuse or other
13 maltreatment; and

14 (4) Strategies for coordination between the child-care facility and appropriate community
15 organizations.

16 Section 4. That chapter 26-6 be amended by adding a NEW SECTION to read:

17 Any agency or institution licensed as a child welfare agency under chapter 26-6 shall provide
18 training for staff members in the prevention and recognition of symptoms of sexual abuse and
19 other maltreatment of children. The training required shall be based on scientific research,
20 provided at least annually, and include training on the following:

21 (1) Factors indicating a child is at-risk for abuse, neglect, sexual abuse, or other
22 maltreatment;

23 (2) Likely warning signs indicating a child may be a victim of abuse, neglect, sexual
24 abuse, or other maltreatment;

- 1 (3) Internal procedures for seeking assistance for a child who is at-risk for abuse, neglect,
2 sexual abuse, or other maltreatment, including referral to a counselor, a social
3 worker, or other mental health professional; and
- 4 (4) Community organizations that have relevant existing research-based training
5 programs that are able to provide training or other education for licensed facility staff
6 members, children, and parents.

7 If a child welfare agency licensed under chapter 26-6 determines that it does not have
8 sufficient resources to provide the training required in this section, the agency shall work in
9 conjunction with a community organization to provide the training at no cost to the agency.