

Date of Hearing: June 13, 2018

ASSEMBLY COMMITTEE ON EDUCATION

Patrick O'Donnell, Chair

SB 1104 (Roth) – As Amended May 8, 2018

**SENATE VOTE:** 39-0

**SUBJECT:** Pupil safety: human trafficking prevention resources

**SUMMARY:** Requires school districts to work with schools that maintain any of grades 6-12, but not schools maintaining grades lower than grade 6, to identify methods for informing parents and guardians of human trafficking prevention resources, and to implement these methods by January 1, 2020.

**EXISTING LAW:**

- 1) Requires school districts to provide comprehensive sexual health education, delivered by trained instructors, to all students in grades 7 to 12, at least once in middle school and once in high school (EC 51934).
- 2) Requires that comprehensive sexual health education include information on the prevalence and nature of human trafficking, and strategies for reducing the risk of human trafficking, techniques to set healthy boundaries, and how to seek assistance (EC 51934).
- 3) Requires that parents or guardians be given the right to excuse their child from all or part of human trafficking prevention education (EC 51950).
- 4) Requires continuation training to be made available and periodically conducted, to allow school district personnel to learn about new developments in the understanding of abuse, including sexual abuse, and human trafficking, and to provide them with instruction on current prevention efforts and methods (EC 51950).
- 5) Encourages school districts to provide training on the early identification of abuse, including sexual abuse, and human trafficking of pupils and other minors (EC 51950).
- 6) Authorizes the California Department of Education (CDE) to post on its website information about human trafficking prevention education, as well as resources on human trafficking prevention for professional learning purposes, and relevant materials for parents, guardians, and other caretakers of students (EC 51950).

**FISCAL EFFECT:** According to the Senate Appropriations Committee:

The bill's requirement for school districts to identify and implement methods of informing parents of human trafficking prevention resources could either create a new reimbursable state mandate or result in pressure to increase the state mandates block grant. Assuming there are 940 school districts statewide that would be affected and that it would take an average of eight hours of staff time at a cost of \$50 per hour for each district to complete the bill's requirements, the Proposition 98 General Fund costs would be approximately \$376,000. The costs could be higher

to the extent that school districts require additional time and resources in taking the most appropriate methods to comply.

#### COMMENTS:

***Need for the bill.*** According to the author, “The state currently requires teachers and students to be provided information related to trafficking. Considering that perpetrators frequently groom their victims by instilling in them a distrust of authority figures, or by isolating them from their families, students often try to hide their victimization from teachers and law enforcement. While children spend a significant amount of time at school, there are certain behaviors that parents are more adept at identifying like sudden changes in behavior, depression, unexplained cash, fake identification, or signs of abuse. Considering that California leads the nation with the most reported cases of human trafficking, it is critical that the state require information and resources to be provided to parents and guardians.”

***Human trafficking of vulnerable children.*** According to the California Department of Justice, “human trafficking is a modern form of slavery [which]...involves controlling a person through force, fraud, or coercion to exploit the victim for forced labor, sexual exploitation, or both.”

The International Labour Organization estimates that currently, global human trafficking collects \$150 billion per year and impacts 20.9 million victims, of whom 68% are trapped in forced labor, 26% are children, and 55% are women and girls. Furthermore, the National Center for Missing and Exploited Children estimates that of the 25,000 runaways reported to their organization in 2017, 1 in 7 were likely child sex trafficking victims, of whom 88% were in social services or foster care at the time they went missing.

***Human trafficking and schools.*** In 2015, the U.S. Department of Education released a report entitled, “Human Trafficking in America’s Schools.” The report noted that victims experience severe physical, emotional, and psychological trauma, which may manifest as problematic behaviors, such as aggression and truancy. Trafficking is also associated with learning disabilities. The report further argued that “everyone who is part of the school community—administrators, teachers, bus drivers, maintenance personnel, food service staff, resource officers, and other school community members—has the potential to be an advocate for child victims of human trafficking.” The report noted that in order to maintain healthy school environments, school personnel should be knowledgeable about the signs and symptoms of trafficking, ways to support disclosure, and the steps to take when there is a suspicion of trafficking.

A 2015 study conducted through University of San Diego and Point Loma Nazarene University of gang-related sex trafficking further suggests that trafficking is a real risk for students in some schools. This research was the first to use schools as a source of data for sex trafficking research. The study, which included focus groups at 20 area high schools, reported that between 8,830 and 11,773 victims—mostly girls—were trafficked in San Diego County each year.

All of the 20 San Diego high schools confirmed that recruitment of their students for sex trafficking was occurring. School personnel identified 69 distinctly named gangs, of which 31 were seen as involved in sex trafficking. In total, the high school staff in 20 high schools across the county identified 417 reported victims along with an additional 60 suspected victims in the past 5 years (averaging approximately 95 victims at least suspected per year).

The study's authors recommended that San Diego County increase resources for the training of school personnel in identifiers and protocols, as well as awareness training for students from middle and high schools.

***Support for parent engagement in the Health Education Framework under revision.*** In 2008, the Instructional Quality Commission (IQC) began the process of revising the Health Education Framework to reflect current health education statutes, as well as the state's health content standards, adopted by the State Board of Education (SBE) in 2008. However, AB 4 X2 (Evans) Chapter 2, Statutes of 2009 halted all work on instructional materials adoptions and framework revisions until the 2013-14 school year, a response to the state's fiscal emergency. The suspension was later extended until the 2015-16 school year by SB 70 (Committee on Budget), Chapter 7, Statutes of 2011.

The health curriculum framework revision has since been reinitiated, and final adoption by SBE is scheduled for May 2019. In April 2018, the CDE released on its website a draft of the Health Education Framework. The framework's second chapter, entitled "Supporting Health Education," states that providing parents with information on certain topics, including sex trafficking, can support student learning. Specifically, the framework states:

"...parents, guardians, and caretakers can play a key role in complementing and reinforcing what students are learning in school through discussions and activities at home...Because many parents, guardians, and caretakers do not feel equipped or comfortable discussing sensitive health topics with their children, administrators and teachers should provide opportunities for parents, guardians, and caretakers to get involved and to obtain information to help them support the educational experience for their child. For example, offer evening educational workshops on topics such as depression and suicide, ATOD use, comprehensive sexual health, gender, sexual orientation, healthy relationships, and sex trafficking. Parents, guardians, and caretakers can benefit from the information and support student learning."

***Existing resources.*** The CDE's website includes the Commercial Sexual Exploitation of Children (CSEC) site, which provides information about available curriculum and links to outside entities that work to end human trafficking. This website does not clearly include information targeted to parents.

In addition, the California Department of Social Services administers the Commercial Sexual Exploitation of Children Program. Among other things, this program provides information on specialized service providers by county; some counties provide parent education on commercial sexual exploitation-related issues such as internet safety and parental awareness.

***Committee amendments.*** This bill does not require a school district to work with a school maintaining grades 6-12, if the school also serves students in grades lower than 6. Data from the CDE's 2016-17 records indicate that more than 3,000 public schools would be exempt from this bill's requirements because they maintain grades both below and above grade 6 (see the adjacent table). To ensure that parents and guardians of all students in grades 6-12 receive the information required

Grade Span	Number of Schools
K-6	1,974
K-7	34
K-8	895
K-12	148
4-6	18
4-8	18
5-8	74

by this bill, *staff recommends* amendments that require districts to work with *all* schools maintaining any grade in the 6-12 span, and specify that schools are only responsible for informing parents and guardians who have students in grades 6-12. In addition, *staff recommends* the addition of charter schools to the bill's requirements.

**Related legislation.** AB 1861 (Rodriguez) of this Session requires that students receive instruction on how social media and mobile device applications are used in human trafficking, by adding it to the content included in comprehensive sexual health education. The bill is pending before the Senate Appropriations Committee.

AB 1868 (Cunningham) of this Session authorizes school districts to include, as part of comprehensive sexual health education, instruction on the risks and consequences of creating or sharing sexually suggestive or explicit materials using cellular telephones, social networking websites, computer networks, or other digital media. The bill is pending before the Senate Education Committee.

AB 2601 (Weber) of this Session requires charter schools to ensure that all pupils in 7<sup>th</sup> through 12<sup>th</sup> grade receive comprehensive sexual health education and HIV prevention education. The bill is pending before the Senate Education Committee.

**Prior legislation.** AB 329 (Weber), Chapter 398, Statutes of 2015 requires schools to provide comprehensive sexual health education in grades 7-12, and modified the required components of sexual health education and HIV/AIDS prevention education.

SB 1435 (Jackson) Chapter 633, Statutes of 2016 requires, when the health curriculum framework is next revised after January 1, 2017, the IQC to consider including comprehensive information for kindergarten and grades 1 to 8, inclusive, on the development of healthy relationships, as specified.

SB 1165 (Mitchell), Chapter 713, Statutes of 2014, requires the IQC to consider including sexual abuse and sex trafficking prevention education in the health framework when it is next revised.

SB 855 (Senate Committee on Budget and Fiscal Review), Chapter 29, Statutes of 2014, created the CSEC Program, which is an optional program for counties that provides funds for prevention and intervention services related to children who are victims of commercial sexual exploitation.

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

California Federation of Women's Clubs (source)  
American Academy of Pediatrics, California  
California Catholic Conference  
California Federation of Teachers  
California Partnership to End Domestic Violence  
California State PTA  
Children's Law Center of California  
Joyful Heart Foundation  
Operation SafeHouse  
Riverside Sheriffs' Association

**Opposition**

None on file

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