



New York State EDUCATION DEPARTMENT

Knowledge > Skill > Opportunity

Erin's Law Frequently Asked Questions Updated 5/11/21

- **What is Erin's Law and is it required in schools?**

Erin's Law is named for Erin Merryn, an abuse survivor and activist against child sexual abuse, who has advocated for similar laws nationwide for over a decade. Erin's Law is intended to help children, teachers, and parents in New York State schools identify sexual abuse, and to provide awareness, assistance, referral, or resource information for children and families who are victims of child sexual abuse. Erin's Law calls for the teaching of child sexual abuse and exploitation prevention to students in grades K-8.

In August 2019, the State Legislature proposed, and the Governor signed Erin's Law requiring the teaching of child sexual abuse and exploitation prevention to students in grades K-8 in all public schools.

- **Which teachers are suggested or required to teach about sexual abuse and exploitation?**

For students who are in K-6, elementary classroom teachers, guidance and school counselors, social workers, or another trained professional may teach about sexual abuse and exploitation. For seventh and eighth-grade students, it is recommended that it be embedded within health instruction. A health teacher, social worker, school counselor or another trained professional can teach about these subjects in middle school.

- **Are the Erin's Law objectives (grades K-8) required to be taught each year?**

The Erin's Law objectives are grade-banded allowing districts flexibility in covering the curricular benchmarks. Districts must address the benchmarks indicated by the end of the grade band.

- **Are the curricular resources in the Erin's Law resource grid mandated materials?**

Curriculum decisions are made at the local school district level in New York State. There is a tradition of local (school/district) choice in New York that empowers educators to select texts, identify products, and use a rich array of instructional strategies and activities to meet student learning needs. The New York State Education Department designed this [Resources for Schools and Districts](#) resource grid to support school districts and educators as they create new curricula or align existing curricula.

- **Do you recommend that schools notify families/parents/caregivers about teaching this topic?**

It is recommended and encouraged that schools provide general information to families/parents/caregivers about the teaching of Erin's Law so that caregivers are aware of these topics being part of classroom instruction and can also answer questions children may have at home.

- **Are parents able to opt their child out of activities or lessons related to Erin's Law?**

In August 2019, Governor Cuomo signed Erin's Law ([Chapter 187 of the Laws of 2019](#)) into legislation. This legislation requires "[All pupils in grades K-8 in all public schools in the state shall receive instruction designed to prevent child sexual exploitation and child sexual abuse.](#)" Therefore, parents are unable to opt out of this requirement. Since curriculum is locally decided, schools have options on how to teach these types of classes and can tailor their approach for students as needed. The New York State Education Department's [Erin's Law webpage](#), (<http://www.nysed.gov/curriculum-instruction/erins-law>), has guidance material to help educators create their own Erin's Law curriculum, but encourages local school districts to partner with families and communities to make decisions about sexual abuse education that are developmentally appropriate and consistent with community values.