




**THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK**

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**TO:** Superintendents of Public Schools  
District Superintendents of BOCES  
Principals of Charter and Other Public Schools

**FROM:** Interim Commissioner Betty A. Rosa 

**SUBJECT:** Guidance for Erin's Law Resources

**DATE:** October 29, 2020

Last year, the State Legislature passed and Governor Cuomo signed legislation (Chapter 187 of the Laws of 2019) - known as Erin's Law - that requires public schools to provide instruction designed to prevent child sexual exploitation and abuse to students in Kindergarten through eighth grade. 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.

The New York State Education Department has prepared an Erin's Law website with curriculum resources to support this endeavor and provide assistance to schools and educators. The website and resources have been developed with the help of partners such as the Department of Health, the NYSED Office of Student Support Services, the Office of Children and Family Services (OCFS), and the New York State Center for School Health. The Department will also propose emergency changes to regulations (100.2(c) (12)) and the Board of Regents will vote on this at the December 2020 Regents meeting. A public comment period on the proposed changes will follow.

This legislation requires that these prevention classes include practical and age-appropriate instruction on how to recognize the warning signs of child sexual abuse and exploitation, with resources on how to find help. Erin's Law addresses the need to prevent sexual abuse of students in grades K-8, which requires defining and addressing the wide range of behaviors and experiences related to sexual violence, such as child sexual abuse, sexual assault, and child sexual exploitation.

The New York State Education Department recommends that educators bolster any existing curriculum offered on this topic in accordance with the existing NYS standards for Health education to fully comply with the intent of Erin's Law. School districts are required to teach students about sexual abuse in Kindergarten-Grade 8. Although curriculum remains a local decision in New York State, the resources provided on the [website](#) can

serve as a foundation in curriculum development. NYSED also 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.

Resources available on NYSED's website include grade-banded curricular benchmarks that will assist in guiding instruction and lesson development as well as a suite of available curricular resources appropriate for various grade levels.