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## **Testimony before the Education, Health, and Environmental Affairs Committee**

### **In SUPPORT of Senate Bill 541-Education-Personnel Matters-Child Sexual Abuse and Sexual Misconduct Prevention**

**Rachel White, Child Welfare Director, Advocates for Children and Youth  
February 13, 2019**

Thank you for the opportunity to provide testimony on Senate Bill 541-Education-Personnel Matters-Child Sexual Abuse and Sexual Misconduct Prevention. Advocates for Children and Youth (ACY) supports this bill.

Senate Bill 541 establishes rules for vetting school employees and keeping school employees credibly accused of sexual abuse or sexual misconduct out of Maryland schools. Seven states already have established this type of protocol in an effort to keep students free from sexual exploitation by school employees. These states include: Pennsylvania, New Jersey, Washington, Oregon, Missouri, Connecticut, and Nevada.

To provide some scope of the problem, nationally 4.5 million students currently in school have suffered some form of sexual abuse or misconduct by a school employee.<sup>1</sup> According to this statistic, almost 90,000 public school students in Maryland may have experienced sexual misconduct or abuse.<sup>2</sup>

Currently in Maryland, when hiring school personnel, there is no uniform method to determine if an applicant has been the subject of a sexual abuse or sexual misconduct investigation and the findings were not false. There is no mechanism to determine if the applicant has been disciplined or discharged while sexual abuse or misconduct allegations were pending or under investigation. There is no mechanism to determine if an applicant has had a license or certificate suspended, surrendered, or revoke due to findings of sexual abuse or sexual misconduct. Because of this thousands and thousands of children are left at risk. SB 541 works to close these gaps in the current process.

As a child welfare director, my work is primarily focused on youth in foster care. Youth in foster care are disproportionality the victims of child sexual abuse and sexual misconduct once they are involved in the foster care system. A study by John Hopkins

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<sup>1</sup> U.S. Department of Education (2004) Educator sexual misconduct: A synthesis of existing literature. Washington, D.C. Office of the Secretary.

<sup>2</sup> In 2017, there were 886,221 students enrolled in Maryland public schools.



University found that children who are in foster care are four times more likely to be sexually abused than other children not in this setting. Additionally, children who are in group homes are 28 times more likely to be abused than children not living in these homes. These are children who have been removed from their families and placed under the care of the state, so it now becomes the state job to ensure that they are protected. A system that allows school personnel the opportunity to continue to work in school settings after they have sexual abused or engaged in sexual misconduct with students previously is an egregious disservice to our most vulnerable youth and is breach of our duty to keep them safe.

The reality is, not passing this bill, allows for a situation where an adult who has engaged in child sexual abuse or misconduct can leave a school quietly and go work for another school and engage in this conduct again. The current practices in schools allows for school personnel to not uphold their fundamental responsibility to both educate children and ensure their health, welfare and safety. Why is it okay for schools to engage in practices that protect abusers rather than children?

For the reasons stated above **we urge this committee to issue a favorable report on SB 541** and uphold our responsibility to protect Maryland's children and ensure that they are free from being susceptible to child sexual abuse and sexual misconduct from school personnel.



