



TO: Representative McNamara, Chair, Representative Barros, First Vice Chair, Representative Amore, Second Vice Chair, and Honorable Members of the House Education Committee

FROM: Marci Hamilton, Founder & CEO, CHILD USA; Professor in the Fels Institute of Government, University of Pennsylvania and Kathryn Robb, Executive Director, CHILD USA Advocacy

RE: H 8132, An Act Relating to Education – School Committees and Superintendents
H 8151, An Act Relating to Education – Athletic Coaches

DATE: April 28, 2022

Dear Representative McNamara, Representative Barros, Representative Amore, and Honorable Members of the House Education Committee:

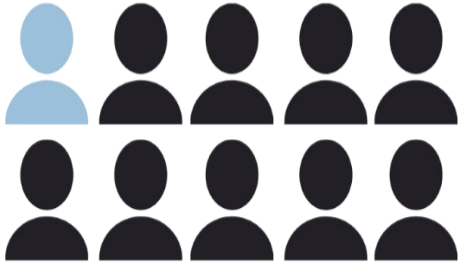
Thank you for allowing us to submit testimony in support of H 8132, which would require anyone who provides educational or athletic/coaching services to children in schools to comply with a criminal background process, and H 8151, which would require schools to report any athletic coaches who were fired for misconduct to the state’s Department of Education, and the Department to maintain a list of those individuals to be available to the hiring authority of any private, charter, parochial, or public school. These bills will help to ensure that the children of Rhode Island will be cared for in environments that are so often trusted by parents and guardians to be safe from abuse, especially educational and athletic activities.

By way of introduction, Professor Marci Hamilton is a First Amendment constitutional scholar at the University of Pennsylvania who has led the national movement to reform statutes of limitations to reflect the science of delayed disclosure of childhood sexual abuse and who founded CHILD USA, a national nonprofit think tank devoted to ending child abuse and neglect. Kathryn Robb is the Executive Director of CHILD USA Advocacy, an advocacy organization dedicated to protecting children’s civil liberties and keeping children safe from abuse and neglect. Kathryn is also an outspoken survivor of child sex abuse.

I. The Prevalence of Child Sexual Abuse in Schools Demands Enhanced Employee Screening Procedures

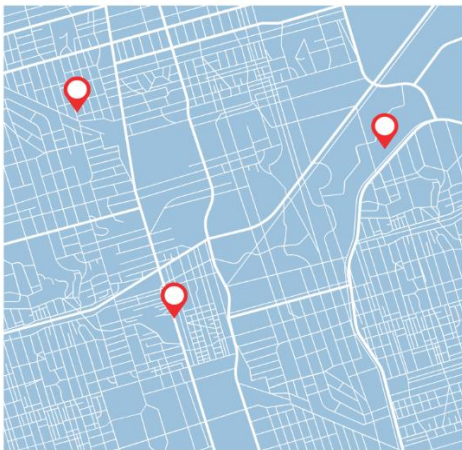
There is a worldwide epidemic of child sexual abuse that has spilled over into our nation’s schools. According to the U.S. Department of Education, **more than 4.5 million students, or 10% of school-aged children, are subject to sexual misconduct by a school employee sometime between kindergarten and 12th grade.**





1 in 10 school-aged children, or more than 4.5 million students, is the target of sexual misconduct by a school employee sometime between kindergarten and 12th grade

This alarming number belies a history of school officials sweeping educator sexual misconduct under the rug by permitting predatory teachers to quietly resign and find employment in other districts—a practice known as “passing the trash”—without ever having to admit wrongdoing or revealing any misconduct to the public. On average, an educator that has been alleged to have engaged in sexual abuse or misconduct will be transferred to three different schools before they are reported to the police.



On average, a teacher-offender will be passed to three different districts before being stopped.

Source: GAO-11-200, 2010

When educational institutions fail to prevent sexual misconduct, students are effectively denied a safe learning environment and cannot fully access the educational opportunities afforded to their peers. The best research indicates that multiple factors have significantly contributed to the growing problem of sexual abuse in our nation’s schools, including school officials failing to properly screen employee applicants. Conducting criminal background checks for school employees/volunteers and tracking athletic coaches fired for misconduct as outlined in the proposed legislation will contribute to the prevention of “passing the trash” and keeping children safe within Rhode Island schools.

II. The Vast Majority of Child Sexual Abuse Victims Know and Trust Their Abusers, Underscoring the Need for Objective Screening Measures

In the United States, approximately 1 in 5 girls and 1 in 13 boys are sexually abused before the age of 18. Child sexual abuse is a social issue that occurs in all social groups and institutions—including families, schools, religious groups, youth-serving organizations, medical establishments, and athletic institutions—and it affects everyone involved in these groups. Importantly, these groups are not mutually exclusive, and perpetrators inhabit multiple roles within these various

social groups. **Most instances of adult-perpetuated child sexual abuse are committed by someone the child knows and trusts.**

Most offenders also exploit or create a set of circumstances in order to be alone with their victims. Overall, research has shown that the most common locations of sexual assault are “at a friend’s home, in a neighborhood close to where the offender lived, while babysitting, and through an organized activity, such as scouts and sporting clubs.” Enhanced screening procedures for all employees and volunteers in schools, including tutors, music and art teachers, and coaches, is another step in the fight to protect children and prevent abuse in settings that are commonly exploited by offenders and least expected by victims and their families to be a threat.

III. The Trauma of Child Sexual Abuse Has Devastating and Costly Consequences on the Victims, Families, and Society as a Whole

The trauma stemming from child sexual abuse is complex and individualized, and it impacts victims throughout their lifetimes. There is an overwhelming body of science exposing the ways in which the trauma of sexual abuse during childhood impacts memory formation and the repression of memories. Posttraumatic stress disorder (PTSD), memory deficits, and complete disassociation are common mental health and psychological consequences for child victims.

Educator sexual misconduct in schools specifically harms children in numerous ways. Sexual abuse can disrupt students’ social, emotional, and cognitive development and place them at a significantly higher risk for psychological problems including, but not limited to, substance abuse, suicidality, and PTSD. The trauma attendant to educator sexual misconduct may also impact students’ ability to participate and succeed in school. For example, **approximately 40% of students who report sexual violence to their schools experience a substantial disruption in their educations.** Nearly 10% drop out of school entirely. For those survivors who remain enrolled, the vast majority experience adverse academic effects which, in turn, negatively impact their financial wellbeing.

Child sexual abuse also generates staggering costs that impact the nation’s health care, education, criminal justice, and welfare systems. **The estimated lifetime cost to society of child sexual abuse cases occurring in the U.S. in 2015 is \$9.3 billion, and the average cost of non-fatal per female victim was estimated at \$282,734.** Child sexual abuse is a serious and costly public health problem across our country, and we must work together as a community to create laws and policies that keep children safe. Requiring criminal background checks of any teacher or coach, as well as mandated reporting of misconduct, is a first step toward protecting Rhode Island’s children.

IV. Conclusion

Once again, we commend you for considering this legislation. The prevalence of sexual abuse in youth-serving settings, especially in educational and athletic activities, and the impact of trauma on a child’s life underscores the necessity for legislation like H 8132 and H 8151 that help to ensure a safe environment, from schools to sports teams, for all children.

Please do not hesitate to contact us if you have questions or if we can be of assistance in any way on other child protection issues.

Sincerely,

A handwritten signature in black ink that reads "Marci A. Hamilton". The signature is fluid and cursive, with a long horizontal line extending to the right.

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A handwritten signature in black ink that reads "Kathryn Robb". The signature is cursive and somewhat stylized.

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