

STATUTORY PROFILE



South Dakota

School-Based Child Sexual Abuse Prevention Laws

Child sexual abuse is a serious, preventable public health issue. It happens in homes, schools and other places, but it can be prevented before it occurs. States and territories have applied a variety of legislative strategies to address the problem. To better understand what they are doing to prevent child sexual abuse, we collected and summarized relevant laws.

Here's what we found in South Dakota as of 2022:



■ EDUCATION AND AWARENESS

State laws intended to protect school children by educating them and/or the adults in their lives about the risks of sexual abuse and misconduct.

POLICY TYPE	STATUTE	DESCRIPTION
School Curriculum and Trainings	ADULTS No	Not addressed in state law.
	CHILDREN No	Not addressed in state law.



■ SCHOOL PERSONNEL POLICIES

State laws intended to create safe schools through hiring, dismissal and other personnel practices.

POLICY TYPE	STATUTE	DESCRIPTION
Hiring/Dismissal Policy	Yes	Addressed in state law.
Fingerprints	Yes	Required by state law.
Background Checks	CRIMINAL Yes	Required for teachers, licensed staff and non-licensed staff.
	MISCONDUCT No	Not required by state law.
	DISCIPLINARY No	Not required by state law.
Reference Checks	No	Not required by state law.
Licensure	No	License revocation for school sexual misconduct is not addressed in state law.



■ STANDARDS FOR CONDUCT

State laws that set minimum standards for adults' conduct in schools.

POLICY TYPE	STATUTE	DESCRIPTION
Code of Conduct/Ethics	No	Not required by state law.



■ LEGAL ACCOUNTABILITY

State laws criminalizing sexual misconduct by a person in a position of authority to further ensure safety in schools and communities.

POLICY TYPE	STATUTE	DESCRIPTION
Position of Authority	No	Sexual relationships between youth and adults in a position of authority are not addressed in state law.

WHAT'S NEXT?

The next phase of this project will evaluate whether these laws reduce school-based child sexual abuse. Together, we can create safe school environments for children and prevent child sexual abuse. Visit Prevent Child Abuse America's project page at bit.ly/4byhfQV to learn more.



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Conditions in the environment, like where people are born, grow, work, live, and age, contribute to health inequities.¹ These conditions impact overrepresentation or underrepresentation of racial groups entering the child welfare system. Here we explain disproportionality for child sexual abuse child welfare investigations in 2022.

What is Disproportionality?

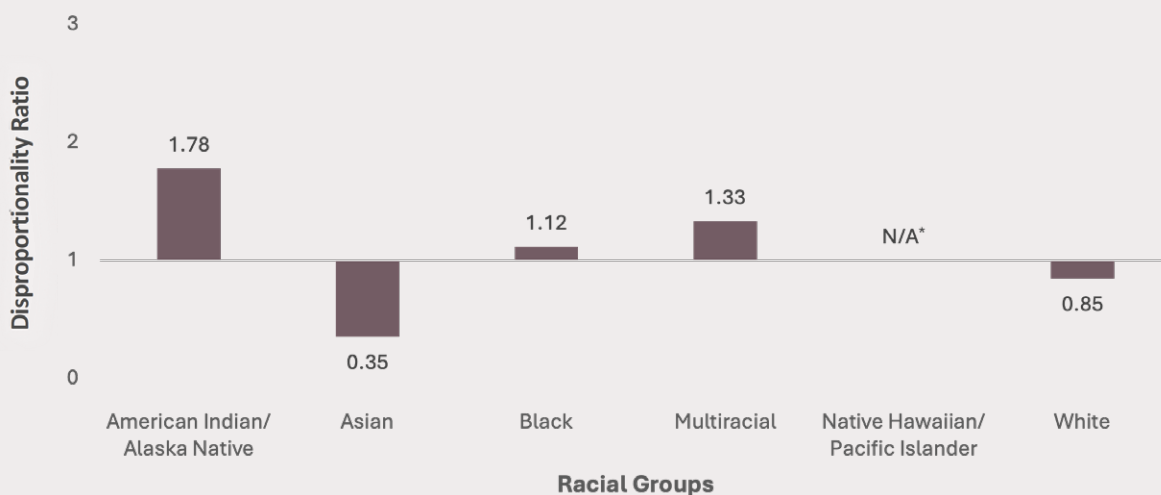


Disproportionality: One racial group's proportion is overrepresented or underrepresented as compared to the same racial group's proportion among the general population.



Disproportionality Ratio: The relationship between a racial group's entry into child welfare and how they are represented in the total population. This results in a number above, equal to, or below "1." If the number is above "1" it means the group enters child welfare more often based on their population size.

In 2022, the disproportionality ratio for child sexual abuse investigations in South Dakota:



WHAT DOES THIS MEAN?

-  American Indian/ Alaska Native, Black, and multiracial children are overrepresented in child sexual abuse child welfare investigations. For example, the representation of CSA investigations involving American Indian/ Alaska Native children is **1.78 times higher** than the representation of those same children in the population.
-  Asian and White children are underrepresented in entry to the child welfare system for child sexual abuse.

Conditions in the environment, like racism or discrimination, contribute to disproportionality in entry to the child welfare system. Understanding the root causes of these conditions helps us address health inequities.

Reference:

1. Healthy People 2030. (n.d.) *Social Determinants of Health*. [https://health.gov/healthypeople/priority-areas/social-determinants-health#:~:text=Social%20determinants%20of%20health%20\(SDOH,Education%20Access%20and%20Quality](https://health.gov/healthypeople/priority-areas/social-determinants-health#:~:text=Social%20determinants%20of%20health%20(SDOH,Education%20Access%20and%20Quality)

* Indicates no data available for this racial category.

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