

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 93 Session of 2023

INTRODUCED BY LEADBETER, D'ORSIE, GLEIM, HAMM, HEFFLEY, KEEFER, KUTZ, MARCELL, OWLETT, PICKETT, ROWE, ROZZI, STEHR, C. WILLIAMS AND ZIMMERMAN, MARCH 7, 2023

AS REPORTED FROM COMMITTEE ON EDUCATION, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 24, 2024

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," IN SEXUAL VIOLENCE, DATING VIOLENCE, <--
6 DOMESTIC VIOLENCE AND STALKING EDUCATION, PREVENTION AND
7 RESPONSE AT INSTITUTIONS OF HIGHER EDUCATION AND PRIVATE
8 LICENSED SCHOOLS, FURTHER PROVIDING FOR SCOPE OF ARTICLE, FOR
9 DEFINITIONS, FOR EDUCATION PROGRAM AND FOR FOLLOW-UP; in
10 miscellaneous provisions relating to institutions of higher
11 education, providing for human trafficking prevention and
12 education programs; AND MAKING EDITORIAL CHANGES. <--

13 The General Assembly of the Commonwealth of Pennsylvania
14 hereby enacts as follows:

15 ~~Section 1. The act of March 10, 1949 (P.L.30, No.14), known <--
16 as the Public School Code of 1949, is amended by adding a
17 section to read:~~

18 SECTION 1. ARTICLE XX-G HEADING AND SECTION 2001-G OF THE <--
19 ACT OF MARCH 10, 1949 (P.L.30, NO.14), KNOWN AS THE PUBLIC
20 SCHOOL CODE OF 1949, ARE AMENDED TO READ:

ARTICLE XX-G

22 SEXUAL VIOLENCE, DATING VIOLENCE, DOMESTIC VIOLENCE [AND],

1 STALKING AND HUMAN TRAFFICKING EDUCATION, PREVENTION AND  
2 RESPONSE AT INSTITUTIONS OF HIGHER EDUCATION AND PRIVATE  
3 LICENSED SCHOOLS

4 SECTION 2001-G. SCOPE OF ARTICLE.

5 THIS ARTICLE RELATES TO COLLEGE AND UNIVERSITY SEXUAL  
6 VIOLENCE, DATING VIOLENCE, DOMESTIC VIOLENCE [~~AND~~], STALKING AND  
7 HUMAN TRAFFICKING EDUCATION, PREVENTION AND RESPONSE.

8 SECTION 2. THE DEFINITION OF "EDUCATION PROGRAM" IN SECTION  
9 2002-G OF THE ACT IS AMENDED AND THE SECTION IS AMENDED BY  
10 ADDING DEFINITIONS TO READ:

11 SECTION 2002-G. DEFINITIONS.

12 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE  
13 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE  
14 CONTEXT CLEARLY INDICATES OTHERWISE:

15 \* \* \*

16 "EDUCATION PROGRAM." AN EVIDENCE-BASED SEXUAL VIOLENCE,  
17 DATING VIOLENCE, DOMESTIC VIOLENCE [~~AND~~], STALKING AND HUMAN  
18 TRAFFICKING PREVENTION AND AWARENESS EDUCATION PROGRAM UNDER  
19 THIS ARTICLE.

20 "HUMAN TRAFFICKING." AS DEFINED IN 18 PA.C.S. § 3001  
21 (RELATING TO DEFINITIONS).

22 "HUMAN TRAFFICKING ORGANIZATION." A NONPROFIT ORGANIZATION  
23 THAT SPECIALIZES IN OUTREACH AND EDUCATION PROGRAMS ON HUMAN  
24 TRAFFICKING.

25 \* \* \*

26 "INVOLUNTARY SERVITUDE." AS DEFINED IN 18 PA.C.S. § 3001.

27 \* \* \*

28 SECTION 3. SECTIONS 2003-G(A), (B) AND (C) AND 2004-G OF THE  
29 ACT ARE AMENDED TO READ:

30 SECTION 2003-G. EDUCATION PROGRAM.

1 (A) GENERAL RULE.--INSTITUTIONS OF HIGHER EDUCATION AND  
2 PRIVATE LICENSED SCHOOLS SHALL ESTABLISH AND IMPLEMENT AN  
3 EDUCATION PROGRAM FOR ALL STUDENTS. IN DEVELOPING OR  
4 IMPLEMENTING AN EDUCATION PROGRAM, INSTITUTIONS OF HIGHER  
5 EDUCATION AND PRIVATE LICENSED SCHOOLS SHALL CONSULT WITH A  
6 LOCAL RAPE CRISIS CENTER [AND], DOMESTIC VIOLENCE PROGRAM AND  
7 HUMAN TRAFFICKING ORGANIZATION, AS APPROPRIATE AND IF AVAILABLE.  
8 THE DEPARTMENT, IN CONSULTATION WITH THE PENNSYLVANIA COALITION  
9 AGAINST RAPE [AND], THE PENNSYLVANIA COALITION AGAINST DOMESTIC  
10 VIOLENCE AND A NONPROFIT ORGANIZATION THAT SPECIALIZES IN  
11 OUTREACH AND EDUCATION PROGRAMS ON HUMAN TRAFFICKING, SHALL  
12 DEVELOP AN ONLINE CLEARINGHOUSE OF MODEL EDUCATION PROGRAMS AND  
13 OTHER RESOURCES TO AID INSTITUTIONS OF HIGHER EDUCATION AND  
14 PRIVATE LICENSED SCHOOLS IN FULFILLING THIS REQUIREMENT. EACH  
15 EDUCATION PROGRAM SHALL PROVIDE THE FOLLOWING:

16 (1) A DISCUSSION OF SEXUAL VIOLENCE, DATING VIOLENCE,  
17 DOMESTIC VIOLENCE [AND], STALKING AND HUMAN TRAFFICKING.

18 (2) A DISCUSSION OF CONSENT, INCLUDING AN EXPLANATION  
19 THAT THE VICTIM IS NOT AT FAULT.

20 (3) A DISCUSSION OF DRUG AND ALCOHOL-FACILITATED SEXUAL  
21 VIOLENCE.

22 (4) INFORMATION RELATING TO RISK EDUCATION AND PERSONAL  
23 PROTECTION.

24 (5) INFORMATION ON WHERE AND HOW TO GET ASSISTANCE,  
25 INCLUDING THE IMPORTANCE OF MEDICAL TREATMENT AND EVIDENCE  
26 COLLECTION, AND HOW TO REPORT SEXUAL VIOLENCE TO CAMPUS  
27 AUTHORITIES AND LOCAL LAW ENFORCEMENT.

28 (6) THE POSSIBILITY OF PREGNANCY AND TRANSMISSION OF  
29 SEXUAL DISEASES.

30 (7) INTRODUCTION OF MEMBERS OF THE EDUCATIONAL COMMUNITY

1 FROM:

2 (I) CAMPUS POLICE OR SECURITY AND LOCAL LAW  
3 ENFORCEMENT.

4 (II) CAMPUS HEALTH CENTER, WOMEN'S CENTER AND RAPE  
5 CRISIS CENTER.

6 (III) CAMPUS COUNSELING SERVICE OR ANY SERVICE  
7 RESPONSIBLE FOR PSYCHOLOGICAL COUNSELING AND STUDENT  
8 AFFAIRS.

9 (8) A PROMISE OF DISCRETION AND DIGNITY.

10 (9) A PROMISE OF CONFIDENTIALITY FOR VICTIMS OF SEXUAL  
11 ASSAULT TO THE EXTENT ALLOWABLE BY LAW.

12 (10) INFORMATION REGARDING CONFIDENTIAL RESOURCES AND  
13 SERVICES AVAILABLE FOR VICTIMS OF SEXUAL VIOLENCE, DATING  
14 VIOLENCE, DOMESTIC VIOLENCE [AND], STALKING AND HUMAN  
15 TRAFFICKING.

16 (B) [(RESERVED).] HUMAN TRAFFICKING SUBJECT MATTER.--  
17 BEGINNING WITH THE 2025-2026 SCHOOL YEAR, THE HUMAN TRAFFICKING  
18 PREVENTION COMPONENT OF AN EDUCATION PROGRAM SHALL PROVIDE  
19 STUDENTS WITH, AT A MINIMUM, THE FOLLOWING INSTRUCTION:

20 (1) CURRENT FEDERAL AND STATE LAWS RELATING TO HUMAN  
21 TRAFFICKING.

22 (2) FACTS AND STATISTICS RELATING TO HUMAN TRAFFICKING  
23 IN THIS COMMONWEALTH AND THROUGHOUT THE UNITED STATES.

24 (3) METHODS BY WHICH HUMAN TRAFFICKERS COMPEL OR COERCE  
25 VICTIMS TO ENGAGE IN INVOLUNTARY SERVITUDE, INCLUDING THE  
26 RECRUITMENT OF POTENTIAL VICTIMS OVER SOCIAL MEDIA PLATFORMS  
27 AND THE INTERNET.

28 (4) RISK FACTORS THAT MAY MAKE AN INDIVIDUAL MORE  
29 VULNERABLE TO HUMAN TRAFFICKING.

30 (5) HOW TO IDENTIFY POTENTIAL VICTIMS OF SEXUAL

1 SERVITUDE AND INVOLUNTARY SERVITUDE AND WHAT TO DO WHEN A  
2 VICTIM IS IDENTIFIED.

3 (C) NOTIFICATION OF RIGHTS, ACCOMMODATIONS AND PROTECTIVE  
4 MEASURES.--A CONCISE NOTIFICATION OF RIGHTS, ACCOMMODATIONS AND  
5 PROTECTIVE MEASURES SHALL BE MADE AVAILABLE IN WRITING AND ON  
6 THE INSTITUTION OF HIGHER EDUCATION'S OR PRIVATE LICENSED  
7 SCHOOL'S PUBLICLY ACCESSIBLE INTERNET WEBSITE TO STUDENTS AND  
8 EMPLOYEES, INCLUDING VICTIMS OF DATING VIOLENCE, DOMESTIC  
9 VIOLENCE, SEXUAL VIOLENCE [AND], STALKING AND HUMAN TRAFFICKING,  
10 REGARDLESS OF WHERE THE INCIDENCES OCCURRED, INCLUDING  
11 INFORMATION REGARDING:

12 (1) EXISTING COUNSELING, MENTAL HEALTH, HEALTH CARE,  
13 VICTIM ADVOCACY, LEGAL ASSISTANCE AND OTHER SERVICES  
14 AVAILABLE FOR VICTIMS, BOTH WITHIN THE INSTITUTION OR SCHOOL  
15 AND IN THE COMMUNITY.

16 (2) AVAILABLE OPTIONS AND ASSISTANCE REGARDING HOW TO  
17 REPORT TO THE INSTITUTION OR SCHOOL, REPORT TO LAW  
18 ENFORCEMENT, OBTAIN PROTECTIONS FROM ABUSE AND SEXUAL  
19 VIOLENCE PROTECTION ORDERS, FILE FOR CRIME VICTIMS'  
20 COMPENSATION AND ASSISTANCE PROGRAM AND REQUEST PROTECTIVE  
21 MEASURES OR CHANGES TO ACADEMIC, LIVING, TRANSPORTATION,  
22 WORKING SITUATIONS OR OTHER EDUCATIONAL ACTIVITIES.

23 \* \* \*

24 SECTION 2004-G. FOLLOW-UP.

25 AN INSTITUTION OF HIGHER EDUCATION AND PRIVATE LICENSED  
26 SCHOOL SHALL CONDUCT AT LEAST ONE FOLLOW-UP PROGRAM FOR THE  
27 STUDENTS IN THE EDUCATION PROGRAM. THE FOLLOW-UP PROGRAM MAY  
28 CONSIST OF THE FOLLOWING:

29 (1) LECTURERS AND INTERACTIVE LEARNING PROGRAMS RELATING  
30 TO SEXUAL VIOLENCE, DATING VIOLENCE, DOMESTIC VIOLENCE [AND],

1 STALKING AND HUMAN TRAFFICKING PREVENTION AND AWARENESS.

2 (2) INSTITUTIONAL ACTIVITIES RELATING TO SEXUAL  
3 VIOLENCE, DATING VIOLENCE, DOMESTIC VIOLENCE [AND], STALKING  
4 AND HUMAN TRAFFICKING PREVENTION AND AWARENESS.

5 (3) VIDEOS AND OTHER EDUCATIONAL MATERIALS RELATING TO  
6 SEXUAL VIOLENCE, DATING VIOLENCE, DOMESTIC VIOLENCE [AND],  
7 STALKING AND HUMAN TRAFFICKING PREVENTION AND AWARENESS.

8 SECTION 4. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

9 Section 2004-I. Human trafficking prevention and education  
10 programs.

11 (a) Duty to provide.--An institution of higher education  
12 shall provide first-year students voluntary access to at least  
13 three in-depth prevention and education programs regarding human  
14 trafficking at any time during the school year, including during  
15 new student orientation activities.

16 (b) Program materials.--An institution of higher education  
17 shall provide program materials relating to the human  
18 trafficking prevention and education programs at no cost to  
19 participating students and may utilize program materials offered  
20 by a nonprofit organization that specializes in outreach and  
21 education programs on human trafficking.

22 (c) Specific subject matter.--The human trafficking  
23 prevention and education programs shall specifically provide  
24 students the following:

25 (1) Definitions and nature of human trafficking.

26 (2) Current Federal and State laws relating to human  
27 trafficking.

28 (3) Facts and statistics on human trafficking in this  
29 Commonwealth and throughout the United States.

30 (4) How human traffickers profile victims.

- 1           (5) The role of online computer activity.
- 2           (6) How demand is created and the industries that  
3 influence human trafficking.
- 4           (7) How to identify a potential victim and what to do  
5 when a victim is identified.
- 6           (8) An understanding of force, fraud and coercion.
- 7           (9) An understanding of how traffickers groom a victim.
- 8           (10) The differences between prostitution, sex  
9 trafficking and exploitation.
- 10           (11) The role that pornography plays in sexual  
11 exploitation and human trafficking.
- 12           (12) An understanding of the complexities of abuse,  
13 indoctrination and manipulation.
- 14           (13) An understanding of the physiological makeup of a  
15 human trafficking victim.
- 16           (14) How victims of human trafficking are rescued.
- 17           (15) How individuals may engage in activities aimed to  
18 prevent human trafficking.
- 19           (d) Annual attestation of compliance.--An institution of  
20 higher education shall report to the department on the  
21 implementation of the human trafficking prevention and education  
22 program through an annual attestation of compliance to the  
23 department.
- 24           (e) Definitions.--As used in this section, the following  
25 words and phrases shall have the meanings given to them in this  
26 subsection unless the context clearly indicates otherwise:
- 27           "Department." The Department of Education of the  
28 Commonwealth.
- 29           "Human trafficking." An activity in violation of 18 Pa.C.S.  
30 § 3011 (relating to trafficking in individuals) either alone or

1 in conjunction with an activity in violation of 18 Pa.C.S. §  
2 3012 (relating to involuntary servitude).

3 "Institution of higher education." Any of the following:

4 (1) A community college operating under Article XIX-A.

5 (2) A rural regional college established under Article  
6 XIX-G.

7 (3) A university within the State System of Higher  
8 Education under Article XX-A.

9 (4) A State-related institution as defined in section  
10 2001-C.

11 (5) The Thaddeus Stevens College of Technology.

12 (6) The Pennsylvania College of Technology.

13 (7) An institution of higher education located in and  
14 incorporated or chartered by the Commonwealth and entitled to  
15 confer degrees as provided under 24 Pa.C.S. § 6505 (relating  
16 to power to confer degrees) and as provided for by the  
17 standards and qualifications prescribed by the State Board of  
18 Education under 24 Pa.C.S. Ch. 65 (relating to private  
19 colleges, universities and seminaries).

20 Section 2 5. This act shall take effect in 60 days.

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