

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 AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, NOVEMBER 12, 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 AN editorial changes CHANGE. <--

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

15 Section 1. Article XX-G heading and section 2001-G of the
16 act of March 10, 1949 (P.L.30, No.14), known as the Public
17 School Code of 1949, are amended to read:

ARTICLE XX-G

19 SEXUAL VIOLENCE, DATING VIOLENCE, DOMESTIC VIOLENCE [AND],
20 STALKING AND HUMAN TRAFFICKING EDUCATION, PREVENTION AND
21 RESPONSE AT INSTITUTIONS OF HIGHER EDUCATION AND PRIVATE
22 LICENSED SCHOOLS

1 Section 2001-G. Scope of article.

2 This article relates to college and university sexual
3 violence, dating violence, domestic violence [and], stalking and
4 human trafficking education, prevention and response.

5 Section 2. The definition of "education program" in section
6 2002-G of the act is amended and the section is amended by
7 adding definitions to read:

8 Section 2002-G. Definitions.

9 The following words and phrases when used in this article
10 shall have the meanings given to them in this section unless the
11 context clearly indicates otherwise:

12 * * *

13 "Education program." An evidence-based sexual violence,
14 dating violence, domestic violence [and], stalking and human
15 trafficking prevention and awareness education program under
16 this article.

17 "Human trafficking." As defined in 18 Pa.C.S. § 3001
18 (relating to definitions).

19 "Human trafficking organization." A nonprofit organization
20 that specializes in outreach and education programs on human
21 trafficking.

22 * * *

23 "Involuntary servitude." As defined in 18 Pa.C.S. § 3001.

24 * * *

25 Section 3. Sections 2003-G(a), (b) and (c) and 2004-G of the
26 act are amended to read:

27 Section 2003-G. Education program.

28 (a) General rule.--Institutions of higher education and
29 private licensed schools shall establish and implement an
30 education program for all students. In developing or

1 implementing an education program, institutions of higher
2 education and private licensed schools shall consult with a
3 local rape crisis center [and], domestic violence program and
4 human trafficking organization, as appropriate and if available.
5 The department, in consultation with the Pennsylvania Coalition
6 Against Rape [and], the Pennsylvania Coalition Against Domestic
7 Violence and a nonprofit organization that specializes in
8 outreach and education programs on human trafficking, shall
9 develop an online clearinghouse of model education programs and
10 other resources to aid institutions of higher education and
11 private licensed schools in fulfilling this requirement. Each
12 education program shall provide the following:

13 (1) A discussion of sexual violence, dating violence,
14 domestic violence [and], stalking and human trafficking.

15 (2) A discussion of consent, including an explanation
16 that the victim is not at fault.

17 (3) A discussion of drug and alcohol-facilitated sexual
18 violence.

19 (4) Information relating to risk education and personal
20 protection.

21 (5) Information on where and how to get assistance,
22 including the importance of medical treatment and evidence
23 collection, and how to report sexual violence to campus
24 authorities and local law enforcement.

25 (6) The possibility of pregnancy and transmission of
26 sexual diseases.

27 (7) Introduction of members of the educational community
28 from:

29 (i) Campus police or security and local law
30 enforcement.

1 (ii) Campus health center, women's center and rape
2 crisis center.

3 (iii) Campus counseling service or any service
4 responsible for psychological counseling and student
5 affairs.

6 (8) A promise of discretion and dignity.

7 (9) A promise of confidentiality for victims of sexual
8 assault to the extent allowable by law.

9 (10) Information regarding confidential resources and
10 services available for victims of sexual violence, dating
11 violence, domestic violence [and], stalking and human
12 trafficking.

13 (b) [(Reserved).] Human trafficking subject matter.--
14 Beginning with the 2025-2026 school year, the human trafficking
15 prevention component of an education program shall provide
16 students with, at a minimum, the following instruction:

17 (1) Current Federal and State laws relating to human
18 trafficking.

19 (2) Facts and statistics relating to human trafficking
20 in this Commonwealth and throughout the United States.

21 (3) Methods by which human traffickers compel or coerce
22 victims to engage in involuntary servitude, including the
23 recruitment of potential victims over social media platforms
24 and the Internet.

25 (4) Risk factors that may make an individual more
26 vulnerable to human trafficking.

27 (5) How to identify potential victims of sexual
28 servitude and involuntary servitude and what to do when a
29 victim is identified.

30 (c) Notification of rights, accommodations and protective

1 measures.--A concise notification of rights, accommodations and
2 protective measures shall be made available in writing and on
3 the institution of higher education's or private licensed
4 school's publicly accessible Internet website to students and
5 employees, including victims of dating violence, domestic
6 violence, sexual violence [and], stalking and human trafficking,
7 regardless of where the incidences occurred, including
8 information regarding:

9 (1) Existing counseling, mental health, health care,
10 victim advocacy, legal assistance and other services
11 available for victims, both within the institution or school
12 and in the community.

13 (2) Available options and assistance regarding how to
14 report to the institution or school, report to law
15 enforcement, obtain protections from abuse and sexual
16 violence protection orders, file for crime victims'
17 compensation and assistance program and request protective
18 measures or changes to academic, living, transportation,
19 working situations or other educational activities.

20 * * *

21 Section 2004-G. Follow-up.

22 An institution of higher education and private licensed
23 school shall conduct at least one follow-up program for the
24 students in the education program. The follow-up program may
25 consist of the following:

26 (1) Lecturers and interactive learning programs relating
27 to sexual violence, dating violence, domestic violence [and],
28 stalking and human trafficking prevention and awareness.

29 (2) Institutional activities relating to sexual
30 violence, dating violence, domestic violence [and], stalking

1 and human trafficking prevention and awareness.

2 (3) Videos and other educational materials relating to
3 sexual violence, dating violence, domestic violence [and],
4 stalking and human trafficking prevention and awareness.

5 ~~Section 4. The act is amended by adding a section to read: <--~~

6 ~~Section 2004 I. Human trafficking prevention and education~~
7 ~~programs.~~

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

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

19 ~~(c) Specific subject matter. The human trafficking~~
20 ~~prevention and education programs shall specifically provide~~
21 ~~students the following:~~

22 ~~(1) Definitions and nature of human trafficking.~~

23 ~~(2) Current Federal and State laws relating to human~~
24 ~~trafficking.~~

25 ~~(3) Facts and statistics on human trafficking in this~~
26 ~~Commonwealth and throughout the United States.~~

27 ~~(4) How human traffickers profile victims.~~

28 ~~(5) The role of online computer activity.~~

29 ~~(6) How demand is created and the industries that~~
30 ~~influence human trafficking.~~

1 ~~(7) How to identify a potential victim and what to do~~
2 ~~when a victim is identified.~~

3 ~~(8) An understanding of force, fraud and coercion.~~

4 ~~(9) An understanding of how traffickers groom a victim.~~

5 ~~(10) The differences between prostitution, sex~~
6 ~~trafficking and exploitation.~~

7 ~~(11) The role that pornography plays in sexual~~
8 ~~exploitation and human trafficking.~~

9 ~~(12) An understanding of the complexities of abuse,~~
10 ~~indoctrination and manipulation.~~

11 ~~(13) An understanding of the physiological makeup of a~~
12 ~~human trafficking victim.~~

13 ~~(14) How victims of human trafficking are rescued.~~

14 ~~(15) How individuals may engage in activities aimed to~~
15 ~~prevent human trafficking.~~

16 ~~(d) Annual attestation of compliance. An institution of~~
17 ~~higher education shall report to the department on the~~
18 ~~implementation of the human trafficking prevention and education~~
19 ~~program through an annual attestation of compliance to the~~
20 ~~department.~~

21 ~~(e) Definitions. As used in this section, the following~~
22 ~~words and phrases shall have the meanings given to them in this~~
23 ~~subsection unless the context clearly indicates otherwise:~~

24 ~~"Department." The Department of Education of the~~
25 ~~Commonwealth.~~

26 ~~"Human trafficking." An activity in violation of 18 Pa.C.S.~~
27 ~~§ 3011 (relating to trafficking in individuals) either alone or~~
28 ~~in conjunction with an activity in violation of 18 Pa.C.S. §~~
29 ~~3012 (relating to involuntary servitude).~~

30 ~~"Institution of higher education." Any of the following:~~

1 ~~(1) A community college operating under Article XIX A.~~

2 ~~(2) A rural regional college established under Article~~
3 ~~XIX G.~~

4 ~~(3) A university within the State System of Higher~~
5 ~~Education under Article XX A.~~

6 ~~(4) A State related institution as defined in section~~
7 ~~2001 C.~~

8 ~~(5) The Thaddeus Stevens College of Technology.~~

9 ~~(6) The Pennsylvania College of Technology.~~

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

17 Section 5 4. This act shall take effect in 60 days.

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