

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2318

Session of 2012

INTRODUCED BY GINGRICH, FREEMAN, HARHART, HICKERNELL, KAUFFMAN, KOTIK, MANN, MILLARD, M. O'BRIEN, READSHAW, SONNEY, STEPHENS, TOOHIL, YOUNGBLOOD, CONKLIN, D. COSTA, BISHOP, FLECK, BAKER, EVERETT, M. K. KELLER, ROCK, J. EVANS, HESS, GEIST, VEREB, GILLESPIE, PICKETT, GOODMAN, MCGEEHAN, P. COSTA, PARKER, RAPP, DONATUCCI, KORTZ, FABRIZIO, ELLIS, MURT AND ROEBUCK, APRIL 16, 2012

AS REPORTED FROM COMMITTEE ON EDUCATION, HOUSE OF REPRESENTATIVES, AS AMENDED, SEPTEMBER 25, 2012

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 terms and courses of study,
6 providing for child exploitation awareness education.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

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

12 Section 1553.1. Child Exploitation Awareness Education.--(a)
13 School districts ~~may incorporate~~ SHALL INCORPORATE THE CONTENT ←
14 OF THE child exploitation awareness education GUIDELINES that is ←
15 age appropriate into the ~~annual~~ EXISTING health curriculum ←
16 framework for students in kindergarten through eighth grade. In
17 developing such education, the school district ~~shall consult~~ ←

~~with at least one organization that addresses child exploitation~~
~~and serves the region where the school district is located~~ MAY
UTILIZE THE MODEL GUIDELINES DEVELOPED BY THE DEPARTMENT
PURSUANT TO SUBSECTION (C).

(b) Child exploitation awareness education may include, but
need not be limited to, defining child exploitation, recognizing
types of child exploitation and creating awareness of warning
signs of child exploitation.

(c) In order to assist school districts, the ~~department~~
DEPARTMENT OF EDUCATION, through its Office for Safe Schools, in
consultation with at least one organization addressing child
exploitation, shall develop ~~a model curriculum~~ MODEL GUIDELINES
that school districts ~~may~~ SHALL incorporate into an existing
~~annual~~ health curriculum. The department shall also provide age-
appropriate educational materials regarding child exploitation
awareness for the purpose of assisting school districts in
preparing an instructional program on child exploitation
awareness. The department may use educational materials that are
already publicly available for this purpose.

(d) A parent or legal guardian of a participating student,
within a reasonable period of time after the request is made,
shall be permitted to examine the child exploitation awareness
education program instructional materials at the school in which
the student is enrolled.

(e) At the request of a parent or guardian, a student shall
be excused from all or parts of the child exploitation awareness
education program. The principal shall notify all parents or
guardians of their ability to withdraw their children from
instruction in the program by returning a signed opt-out form,
AFTER THE PARENT OR GUARDIAN HAS REVIEWED THE INSTRUCTIONAL

1 MATERIALS.

2 (f) For purposes of this section, the following words and
3 phrases shall have the meanings given to them in this subsection
4 unless the context clearly indicates otherwise:

5 "Child exploitation." The term includes child abduction and
6 sexual abuse or exploitation.

7 "Sexual abuse or exploitation." Any of the following: ←

8 (1) The employment, use, persuasion, inducement, enticement
9 or coercion of a child to engage in or assist another individual
10 to engage in sexually explicit conduct.

11 (2) The employment, use, persuasion, inducement, enticement
12 or coercion of a child to engage in or assist another individual
13 to engage in stimulation of sexually explicit conduct for the
14 purpose of producing visual depiction, including photographing,
15 videotaping, computer depicting and filming.

16 (3) Any of the following offenses committed against a child:

17 (i) Rape.

18 (ii) Sexual assault.

19 (iii) Involuntary deviate sexual intercourse.

20 (iv) Aggravated indecent assault.

21 (v) Molestation.

22 (vi) Incest.

23 (vii) Indecent exposure.

24 (viii) Prostitution.

25 (ix) Sexual abuse.

26 (x) Sexual exploitation. THE TERM SHALL HAVE THE MEANING ←
27 GIVEN TO IT UNDER 23 PA.C.S. § 6303 (RELATING TO DEFINITIONS).

28 Section 2. This act shall take effect in 60 days.