

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 620 Session of 2019

INTRODUCED BY DINNIMAN, MUTH, HUGHES, KEARNEY AND SCHWANK,
MAY 10, 2019

REFERRED TO EDUCATION, MAY 10, 2019

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 consent instruction.

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 1528. Consent Instruction.--(a) Beginning with
13 school year 2020-2021, each public school student shall receive
14 mandatory instruction in consent every year, in every grade from
15 kindergarten through grade twelve. Each school entity shall:

16 (1) Develop age-appropriate consent instruction and
17 integrate such instruction into the school entity's existing
18 courses of study for students in kindergarten through grade
19 twelve. The instruction developed by the school entity shall
20 include the requirements of consent instruction established in

1 subsections (d) and (e).

2 (2) Include training in consent instruction in the
3 professional development plan submitted by the school entity to
4 the secretary for approval in accordance with section 1205.1.
5 The training included in the school entity's plan for an employe
6 required to complete continuing professional education shall
7 provide up to four (4) hours every five (5) years toward the
8 continuing professional education requirements.

9 (b) The department, in consultation with at least one
10 organization knowledgeable on consent, human interaction and
11 healthy relationships, shall:

12 (1) Develop age-appropriate model curriculum for instruction
13 on consent for each grade from kindergarten through grade
14 twelve, which curriculum may include materials already publicly
15 available, no later than twelve (12) months after the effective
16 date of this section.

17 (2) Make available the model curriculum and other age-
18 appropriate materials to any school entity as well as post the
19 model curriculum on the department's publicly accessible
20 Internet website.

21 (3) Recommend guidelines and educational materials for the
22 training provided under subsection (a)(2), which may include
23 materials already publicly available, no later than twelve
24 months after the effective date of this section.

25 (4) Revise the model curriculum and guidelines on consent as
26 necessary to ensure that the model curriculum provides the most
27 current information and universally accepted social policies
28 related to human interactions.

29 (c) In developing model curriculum under subsection (b),
30 where appropriate, the department shall include:

1 (1) Requirements for consent instruction under subsection
2 (e).

3 (2) Notion of consent, affirmative consent, sharing,
4 boundaries and healthy well-being.

5 (3) Nonbiased portrayal of a specific gender.

6 (4) Nonbiased portrayal of a specific relationship.

7 (5) Prevention of harm and intervention efforts.

8 (6) Detailed instruction on the need for and the role of
9 lawful authority and law-abiding behavior.

10 (7) Detailed information regarding existing laws that
11 require consent, including, but not limited to, theft,
12 intimidation, harassment, bullying, hazing, unauthorized
13 administration of substances, sexting, domestic violence and
14 dating violence.

15 (d) In developing and implementing the instruction in
16 accordance with subsection (a)(1), a school entity may utilize:

17 (1) Appropriate public or private materials, personnel and
18 other resources.

19 (2) Model curriculum developed by the department in
20 accordance with subsection (b).

21 (3) Other published curriculum that complies with the
22 requirements of this section.

23 (e) Consent instruction shall:

24 (1) Be age appropriate.

25 (2) Be sequential in method of study.

26 (3) Communicate that consent is a fundamental value in all
27 human relationships.

28 (4) Communicate the impact of failing to respect personal
29 boundaries when consent is not obtained or is withheld.

30 (f) The State Board of Education shall promulgate or revise

1 regulations subject to the act of June 25, 1982 (P.L.633,
2 No.181), known as the "Regulatory Review Act," necessary to
3 implement this section.

4 (g) As used in this section, the following words and phrases
5 shall have the meanings given to them in this subsection unless
6 the context clearly indicates otherwise:

7 "Consent." All of the following:

8 (1) a voluntary yielding to what another individual proposes
9 or desires;

10 (2) permission given freely and that has not been coerced;

11 (3) agreement by an individual in the possession and
12 exercise of sufficient mental capacity to make an intelligent
13 choice to do something proposed by another individual; and

14 (4) approval or permission regarding some act or purpose.

15 "Department." The Department of Education of the
16 Commonwealth.

17 "School entity." A school district, charter school, regional
18 charter school, cyber charter school, intermediate unit or area
19 vocational-technical school.

20 "Secretary." The Secretary of Education of the Commonwealth.

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