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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**

**No. 1129** Session of  
2007

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INTRODUCED BY CONKLIN, SIPTROTH, WATSON, YOUNGBLOOD, WATERS,  
BELFANTI, BRENNAN, DALEY, DeLUCA, DePASQUALE, DERMODY,  
FABRIZIO, FRANKEL, GERBER, GIBBONS, KORTZ, LEACH, MAHONEY,  
MANN, McCALL, M. O'BRIEN, PHILLIPS, READSHAW, ROEBUCK,  
SHIMKUS, STABACK, STURLA, THOMAS AND WALKO, APRIL 23, 2007

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REFERRED TO COMMITTEE ON EDUCATION, APRIL 23, 2007

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AN ACT

1 Providing for sexual violence awareness education programs for  
2 new students matriculating to institutions of higher  
3 education or private licensed schools that receive public  
4 funding and for duties of the Department of Education.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the College and  
9 University Sexual Violence Education Act.

10 Section 2. Legislative findings.

11 The General Assembly finds and declares as follows:

12 (1) It is in the interest of the Commonwealth to  
13 facilitate the education of its young people.

14 (2) Awareness and education are the beginning steps to  
15 prevention.

16 (3) Education is imperative to promoting safety and  
17 raising awareness of sexual violence among young people.

1           (4) The first few months of the freshman year are the  
2 most dangerous for new female and male college students  
3 because of the availability of drugs and alcohol, the absence  
4 of parental supervision and a lack of awareness of sexual  
5 violence.

6 Section 3. Definitions.

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

10          "Department." The Department of Education of the  
11 Commonwealth.

12          "Education program." A sexual violence education program  
13 under this act.

14          "Institution of higher education." An independent  
15 institution of higher education, a community college, a State-  
16 related institution or a member institution of the State System  
17 of Higher Education.

18          "Matriculating." Enrolling in an institution of higher  
19 education or private licensed school.

20          "Private licensed school." As defined in the act of December  
21 15, 1986 (P.L.1585, No.174), known as the Private Licensed  
22 Schools Act.

23          "Sexual Violence." As defined in 42 Pa.C.S. § 6402 (relating  
24 to definitions).

25          "Student." A person who is enrolled on a full-time basis at  
26 an institution of higher education or private licensed school.

27 Section 4. Purpose.

28          The purpose of the education program is to increase awareness  
29 of and improve every student's understanding of sexual violence  
30 and to reduce the likelihood of sexual violence.

1 Section 5. Education program.

2 (a) General rule.--Institutions of higher education and  
3 private licensed schools shall establish a sexual violence  
4 awareness educational program. Institutions of higher education  
5 and private licensed schools may collaborate with a Statewide  
6 nonprofit organization, local rape crisis center or local sexual  
7 assault program that arranges for the provision of services to  
8 sexual violence and rape victims in the development of a sexual  
9 violence awareness educational program. Each educational program  
10 shall provide the following:

11 (1) A discussion of sexual violence.

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

14 (3) A discussion of drug and alcohol-facilitated sexual  
15 violence.

16 (4) Information relating to risk education and personal  
17 protection.

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

22 (6) The possibility of pregnancy and transmission of  
23 sexual diseases.

24 (7) Introduction of members of the educational community  
25 from:

26 (i) Campus police or security and local law  
27 enforcement.

28 (ii) Campus health center, women's center and rape  
29 crisis center.

30 (iii) Campus counseling service or any service

1 responsible for psychological counseling and student  
2 affairs.

3 (8) A promise of discretion and dignity.

4 (9) A promise of confidentiality for victims of sexual  
5 assault.

6 (b) Student bill of rights.--Consistent with the campus  
7 sexual assault victims' bill of rights under section 485(f)(8)  
8 of the Higher Education Act of 1965 (Public Law 89-329, 20  
9 U.S.C. § 1092(f)(8)), a student bill of rights shall be made  
10 available to students.

11 Section 6. Follow-up.

12 An institution of higher education and private licensed  
13 school shall conduct a follow-up program for the duration of the  
14 school year for new students. The program may consist of the  
15 following:

16 (1) Lecturers relating to sexual violence prevention and  
17 awareness.

18 (2) Institutional activities relating to sexual violence  
19 prevention and awareness.

20 (3) Videos and other educational materials relating to  
21 sexual violence prevention and awareness.

22 Section 7. Duties of department.

23 The department shall:

24 (1) Ensure compliance with this act.

25 (2) Solicit the cooperation of other agencies,  
26 institutions and organizations, both public and private, in  
27 carrying out the provisions of this act.

28 (3) Otherwise administer the provisions of this act.

29 Section 8. Report.

30 An institution of higher education and a private licensed

1 school shall report to the department on the implementation of  
2 the education program by the institution or school.

3 Section 9. Effective date.

4 This act shall take effect in 120 days.