

July, 2017

To all school entities:

Senate Bill 1311 was signed by Governor Wolf on October 28, 2016 and is now known as Act 115. Act 115 was immediately effective and amends Titles 23 (Domestic Relations) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes by: providing for additional grounds for involuntary termination of parental rights; providing for an additional grounds for aggravated circumstances; allowing for release of information in confidential reports to law enforcement when investigating cases of severe forms of trafficking in persons or sex trafficking; adding a category of child abuse to include: engaging a child in a severe form of trafficking in persons or sex trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000; and adding a category of perpetrator to include: an individual 18 years of age or older who engages a child in severe forms of trafficking in persons or sex trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000.

All PDE Act 126 courses that previously were approved as a Child Abuse and Recognition and Reporting Act 48 provider *must* update their curriculums to include Act 115 Trafficking requirements. Based on Act 115 being enacted, the following updates are required to all previously approved curricula:

1. Add a category of perpetrator
 - ✓ an individual 18 years of age or older who engages a child in severe forms of trafficking in persons or sex trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000
2. Add a category of child abuse
 - ✓ engaging a child in a severe form of trafficking in persons or sex trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000
3. Definition of human trafficking
 - ✓ The recruitment, harboring, transportation, provision or obtaining of a child for labor or services through the use of force, fraud, or coercion. Under federal law, sex trafficking (such as prostitution, pornography, exotic dancing, etc.) does not require there be force, fraud or coercion if the victim is under 18.
4. Discussion and examples of labor trafficking
 - ✓ Labor trafficking is labor obtained by use of threat of serious harm, physical restraint, or abuse of legal process.

- ✓ Examples: being forced to work for little or no pay from (frequently in factories or farms); domestic servitude (providing services within a household from 10-16 hours per day such as but not limited to: child care, cooking, cleaning, yard work, gardening)
5. Discussion and examples of severe forms of trafficking in persons
- ✓ Sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 year of age; or
 - ✓ The recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage (paying off debt through work), debt bondage (debt slavery, bonded labor or services for a debt or other obligation), or slavery (a condition compared to that of a slave in respect of exhausting labor or restricted freedom)
6. Definition of commercial sex act
- ✓ Means any sex act on account of which anything of value is given to or received by any person
7. At risk youth populations for human trafficking
- ✓ Youth in the foster care system
 - ✓ Youth who identify as LGBTQ
 - ✓ Youth who are homeless or runaway
 - ✓ Youth with disabilities
 - ✓ Youth with mental health or substance abuse disorders
 - ✓ Youth with a history of sexual abuse
 - ✓ Youth with a history of being involved in the welfare system
 - ✓ Youth who identify as native or aboriginal
 - ✓ Youth with family dysfunction
8. Victim Identification/warning signs are but not limited to:
- ✓ A youth that has been verified to be under 18 and is in any way involved in the commercial sex industry, or has a record of prior arrest for prostitution or related charges
 - ✓ Has an explicitly sexual online profile
 - ✓ Excessive frequenting of internet chat rooms or classified sites
 - ✓ Depicts elements of sexual exploitation in drawing, poetry, or other modes of creative expression
 - ✓ Frequent or multiple sexually transmitted diseases or pregnancies
 - ✓ Lying about or not being aware of their true age
 - ✓ Having no knowledge of personal data, such as but not limited to: age, name, and/or date of birth



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- ✓ Having no identification
- ✓ Wearing sexually provocative clothing
- ✓ Wearing new clothes of any style, getting hair and/or nails done with no financial means
- ✓ Secrecy about whereabouts
- ✓ Having late nights or unusual hours
- ✓ Having a tattoo that she/she is reluctant to explain
- ✓ Being in a controlling or dominating relationship
- ✓ Not having control of own finances
- ✓ Exhibit hyper-vigilance or paranoid behaviors
- ✓ Express interest in or in relationships with adults or much older men/women

If your school personnel have already been trained in Act 126 Child Abuse Recognition and Reporting, they **must** be provided the Act 115 trafficking information. For additional questions regarding Act 115 training as a part of Act 126, contact:

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