

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 538 Session of 2025

INTRODUCED BY LEADBETER, HAMM, STEHR, KAUFFMAN, M. BROWN, KUTZ, ZIMMERMAN, FINK, T. JONES AND PUGH, FEBRUARY 10, 2025

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, JUNE 17, 2025

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; and
10 making an editorial change.

11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

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

ARTICLE XX-G

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

21 Section 2001-G. Scope of article.

1 This article relates to [college and university] INSTITUTION <--
2 OF HIGHER EDUCATION AND PRIVATE LICENSED SCHOOL sexual violence,
3 dating violence, domestic violence [and], stalking and human
4 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 PREVENTION AND AWARENESS IN ADHERENCE TO STANDARDS <--
22 ESTABLISHED BY THE DEPARTMENT OF HUMAN SERVICES.

23 * * *

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

25 * * *

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

28 Section 2003-G. Education program.

29 (a) General rule.--Institutions of higher education and
30 private licensed schools shall establish and implement an

1 education program for all students. In developing or
2 implementing an education program, institutions of higher
3 education and private licensed schools shall consult with a
4 local rape crisis center ~~and~~, domestic violence program ~~and~~ <--
5 ~~human trafficking organization~~, as appropriate and if available.

6 INSTITUTIONS OF HIGHER EDUCATION AND PRIVATE LICENSED SCHOOLS <--

7 MAY CONSULT WITH A HUMAN TRAFFICKING ORGANIZATION TO DEVELOP AND

8 IMPLEMENT AN EDUCATION PROGRAM. The department, in consultation

9 with the Pennsylvania Coalition Against Rape ~~and~~ the <--

10 Pennsylvania Coalition Against Domestic Violence ~~and a nonprofit~~ <--

11 ~~organization that specializes in outreach and education programs~~

12 ~~on human trafficking~~, shall develop an online clearinghouse of

13 model education programs and other resources to aid institutions

14 of higher education and private licensed schools in fulfilling

15 this requirement. THE DEPARTMENT MAY CONSULT WITH A HUMAN <--

16 TRAFFICKING ORGANIZATION TO DEVELOP THE ONLINE CLEARINGHOUSE OF

17 MODEL EDUCATION PROGRAMS AND OTHER RESOURCES. Each education

18 program shall provide the following:

19 (1) A discussion of sexual violence, dating violence,
20 domestic violence ~~and~~, stalking and human trafficking.

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

23 (3) A discussion of drug and alcohol-facilitated sexual
24 violence.

25 (4) Information relating to risk education and personal
26 protection.

27 (5) Information on where and how to get assistance,
28 including the importance of medical treatment and evidence
29 collection, and how to report sexual violence to campus
30 authorities and local law enforcement.

1 (6) The possibility of pregnancy and transmission of
2 sexual diseases.

3 (7) Introduction of members of the educational community
4 from:

5 (i) Campus police or security and local law
6 enforcement.

7 (ii) Campus health center, women's center and rape
8 crisis center.

9 (iii) Campus counseling service or any service
10 responsible for psychological counseling and student
11 affairs.

12 (8) A promise of discretion and dignity.

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

15 (10) Information regarding confidential resources and
16 services available for victims of sexual violence, dating
17 violence, domestic violence [and], stalking and human
18 trafficking.

19 (b) [(Reserved).] Human trafficking subject matter.--
20 Beginning with the 2027-2028 school year, the human trafficking
21 prevention component of an education program shall provide
22 students with, at a minimum, the following instruction:

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

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

27 (3) Methods by which human traffickers compel or coerce
28 victims to engage in involuntary servitude, including the
29 recruitment of potential victims over social media platforms
30 and the Internet.

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

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

6 (c) Notification of rights, accommodations and protective
7 measures.--A concise notification of rights, accommodations and
8 protective measures shall be made available in writing and on
9 the institution of higher education's or private licensed
10 school's publicly accessible Internet website to students and
11 employees, including victims of dating violence, domestic
12 violence, sexual violence [and], stalking and human trafficking,
13 regardless of where the incidences occurred, including
14 information regarding:

15 (1) Existing counseling, mental health, health care,
16 victim advocacy, legal assistance and other services
17 available for victims, both within the institution or school
18 and in the community.

19 (2) Available options and assistance regarding how to
20 report to the institution or school, report to law
21 enforcement, obtain protections from abuse and sexual
22 violence protection orders, file for crime victims'
23 compensation and assistance program and request protective
24 measures or changes to academic, living, transportation,
25 working situations or other educational activities.

26 * * *

27 Section 2004-G. Follow-up.

28 An institution of higher education and private licensed
29 school shall conduct at least one follow-up program for the
30 students in the education program. The follow-up program may

1 consist of the following:

2 (1) Lecturers and interactive learning programs relating
3 to sexual violence, dating violence, domestic violence [and],
4 stalking and human trafficking prevention and awareness.

5 (2) Institutional activities relating to sexual
6 violence, dating violence, domestic violence [and], stalking
7 and human trafficking prevention and awareness.

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

11 Section 4. This act shall take effect in 60 days.