

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 538 Session of 2025

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

REFERRED TO COMMITTEE ON EDUCATION, FEBRUARY 10, 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:

16 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.

22 This article relates to college and university sexual

1 violence, dating violence, domestic violence [and], stalking and
2 human trafficking education, prevention and response.

3 Section 2. The definition of "education program" in section
4 2002-G of the act is amended and the section is amended by
5 adding definitions to read:

6 Section 2002-G. Definitions.

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

10 * * *

11 "Education program." An evidence-based sexual violence,
12 dating violence, domestic violence [and], stalking and human
13 trafficking prevention and awareness education program under
14 this article.

15 "Human trafficking." As defined in 18 Pa.C.S. § 3001
16 (relating to definitions).

17 "Human trafficking organization." A nonprofit organization
18 that specializes in outreach and education programs on human
19 trafficking.

20 * * *

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

22 * * *

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

25 Section 2003-G. Education program.

26 (a) General rule.--Institutions of higher education and
27 private licensed schools shall establish and implement an
28 education program for all students. In developing or
29 implementing an education program, institutions of higher
30 education and private licensed schools shall consult with a

1 local rape crisis center [and], domestic violence program and
2 human trafficking organization, as appropriate and if available.
3 The department, in consultation with the Pennsylvania Coalition
4 Against Rape [and], the Pennsylvania Coalition Against Domestic
5 Violence and a nonprofit organization that specializes in
6 outreach and education programs on human trafficking, shall
7 develop an online clearinghouse of model education programs and
8 other resources to aid institutions of higher education and
9 private licensed schools in fulfilling this requirement. Each
10 education program shall provide the following:

11 (1) A discussion of sexual violence, dating violence,
12 domestic violence [and], stalking and human trafficking.

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

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

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

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

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

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

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

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

1 (iii) Campus counseling service or any service
2 responsible for psychological counseling and student
3 affairs.

4 (8) A promise of discretion and dignity.

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

7 (10) Information regarding confidential resources and
8 services available for victims of sexual violence, dating
9 violence, domestic violence [and], stalking and human
10 trafficking.

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

15 (1) Current Federal and State laws relating to human
16 trafficking.

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

19 (3) Methods by which human traffickers compel or coerce
20 victims to engage in involuntary servitude, including the
21 recruitment of potential victims over social media platforms
22 and the Internet.

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

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

28 (c) Notification of rights, accommodations and protective
29 measures.--A concise notification of rights, accommodations and
30 protective measures shall be made available in writing and on

1 the institution of higher education's or private licensed
2 school's publicly accessible Internet website to students and
3 employees, including victims of dating violence, domestic
4 violence, sexual violence [and], stalking and human trafficking,
5 regardless of where the incidences occurred, including
6 information regarding:

7 (1) Existing counseling, mental health, health care,
8 victim advocacy, legal assistance and other services
9 available for victims, both within the institution or school
10 and in the community.

11 (2) Available options and assistance regarding how to
12 report to the institution or school, report to law
13 enforcement, obtain protections from abuse and sexual
14 violence protection orders, file for crime victims'
15 compensation and assistance program and request protective
16 measures or changes to academic, living, transportation,
17 working situations or other educational activities.

18 * * *

19 Section 2004-G. Follow-up.

20 An institution of higher education and private licensed
21 school shall conduct at least one follow-up program for the
22 students in the education program. The follow-up program may
23 consist of the following:

24 (1) Lecturers and interactive learning programs relating
25 to sexual violence, dating violence, domestic violence [and],
26 stalking and human trafficking prevention and awareness.

27 (2) Institutional activities relating to sexual
28 violence, dating violence, domestic violence [and], stalking
29 and human trafficking prevention and awareness.

30 (3) Videos and other educational materials relating to

1 sexual violence, dating violence, domestic violence [and],
2 stalking and human trafficking prevention and awareness.
3 Section 4. This act shall take effect in 60 days.