

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2178 Session of
2003

INTRODUCED BY DIGIROLAMO, BAKER, BALDWIN, BELFANTI, BISHOP,
BROWNE, CAUSER, CORRIGAN, CRUZ, DONATUCCI, FRANKEL, GOODMAN,
HERSHEY, LaGROTTA, LEACH, LEDERER, MUNDY, O'NEILL, PETRI,
READSHAW, SCHRODER, SHANER, STABACK, E. Z. TAYLOR AND WATSON,
NOVEMBER 19, 2003

REFERRED TO COMMITTEE ON EDUCATION, NOVEMBER 19, 2003

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," further providing for Office for Safe
6 Schools; and requiring the establishment of prevention of
7 pupil harassment policies.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 1302-A(c) of the act of March 10, 1949
11 (P.L.30, No.14), known as the Public School Code of 1949,
12 amended June 26, 1999 (P.L.394, No.36), is amended to read:

13 Section 1302-A. Office for Safe Schools.--* * *

14 (c) In addition to the powers and duties set forth under
15 subsection (a), the office is authorized to make targeted grants
16 to schools to fund programs which address school violence,
17 including, but not limited to, the following programs:

18 (1) Conflict resolution or dispute management.

19 (2) Peer helpers programs.

(3) Risk assessment, safety-related or violence prevention curricula.

(4) Classroom management.

(5) Student codes of conduct.

(6) Training to undertake a districtwide assessment of risk factors that increase the likelihood of problem behaviors among students.

(7) Development and implementation of research-based violence prevention programs that address risk factors to reduce incidents of problem behaviors among students, including pupil harassment, also known as bullying.

(8) Comprehensive, districtwide school safety and violence prevention plans.

(9) Security planning, purchase of security-related technology which may include metal detectors, protective lighting, surveillance equipment, special emergency communications equipment, electronic locksets, deadbolts and theft control devices and training in the use of security-related technology. Security planning and purchase of security-related technology shall be based on safety needs identified by the school entity's board of directors.

(10) Institution of student, staff and visitor identification systems.

(11) Establishment or enhancement of school security personnel, including school resource officers.

(12) Provision of specialized staff and student training programs, including training for Student Assistance Program team members in elementary, middle and high schools in the referral of students at risk of violent behavior to appropriate community-based services, including mental health services.

(13) Alternative education programs provided for in Article XIX-C.

(14) Counseling services for students enrolled in alternative education programs.

* * *

Section 2. The act is amended by adding a section to read:

Section 1303.1-A. Prevention of Pupil Harassment Policies.--

(a) The school board of directors in every school district shall adopt policies to prevent pupil harassment, also known as bullying, within one hundred eighty (180) days of the effective date of this section.

(b) The school board of directors shall not be required to establish a new policy if one currently exists and reasonably fulfills the requirements of this section.

(c) The policies shall do all of the following:

(1) Clearly define conduct that constitutes bullying.

(2) Prohibit bullying while on school property, at school-sponsored activities and on school buses.

(3) State the consequences for engaging in the prohibited conduct, which may vary depending on the age or grade of the student involved.

(4) Require that a school employe who has witnessed or has reliable information that a pupil has been a victim of bullying as defined by the district shall report the incident to the principal.

(5) Require that notice of what constitutes bullying, that bullying is prohibited and the consequences of engaging in bullying be conspicuously posted in every classroom, cafeteria, restroom, gymnasium, auditorium and school bus in the district.

(6) Require that copies of the notice of what constitutes

1 bullying, that bullying is prohibited, and the consequences of
2 engaging in bullying be provided to parents, students, school
3 volunteers and employees. Each policy shall require that a full
4 copy of the policy be made available upon request.

5 (d) A school employe who has reported violations under the
6 school district's policy shall be immune from any tort liability
7 that may arise from the failure to remedy the reported incident.

8 (e) The school district may provide opportunities for school
9 employees to participate in programs or other activities designed
10 to develop the knowledge and skills to prevent and respond to
11 acts covered by their policy.

12 (f) The following shall apply:

13 (1) The school district shall file with the Department of
14 Education a copy of the policies adopted in compliance with this
15 section.

16 (2) The Department of Education shall review the policies
17 provided by the school districts and may recommend changes or
18 improvements to the districts if the Department of Education
19 determines that the policies need improvement.

20 Section 3. This act shall take effect in 60 days.