

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## SENATE BILL

No. 71

Session of  
2005

INTRODUCED BY GREENLEAF, RAFFERTY, COSTA, PUNT, WONDERLING,  
KITCHEN, RHOADES, TARTAGLIONE, ORIE, O'PAKE, BOSCOLA, STACK  
AND WASHINGTON, JANUARY 31, 2005

SENATOR RHOADES, EDUCATION, AS AMENDED, SEPTEMBER 26, 2006

## 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 policies relating  
7 to bullying.

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.

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

1    curricula.

2        (4)    Classroom management.

3        (5)    Student codes of conduct.

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

7        (7)    Development and implementation of research-based  
8    violence prevention programs that address risk factors to reduce  
9    incidents of problem behaviors among students including, but not  
10 limited to, bullying.

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

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

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

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

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

30       (13)    Alternative education programs provided for in Article

1 XIX-C.

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

4 \* \* \*

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

6 ~~Section 1303.1 A. Policy Relating to Bullying. (a) All~~ <—  
7 ~~school entities shall, within one hundred twenty (120) days of~~  
8 ~~the effective date of this section, address bullying through~~  
9 ~~either an inclusive or specific policy, the school entity's code~~  
10 ~~of student conduct, or other written means. The policy or code~~  
11 ~~of conduct shall delineate discipline consequences for bullying~~  
12 ~~and may provide for prevention, intervention and education~~  
13 ~~programs.~~

14 ~~(b) No school entity shall be required to establish a new~~  
15 ~~policy if one currently exists and reasonably fulfills the~~  
16 ~~requirements of this subsection.~~

17 ~~(c) All school entities shall annually report to the office~~  
18 ~~on their policy concerning bullying under subsection (a),~~  
19 ~~including information related to the development and~~  
20 ~~implementation of any bullying prevention, intervention and~~  
21 ~~education programs. The annual report may be attached to or made~~  
22 ~~part of any other annual report that the school entities must~~  
23 ~~submit to the office.~~

24 ~~(d) For purposes of this section:~~

25 ~~(1) The term "bullying" shall mean repeated and systematic~~  
26 ~~harassment or attacks on another, perpetrated by a student or~~  
27 ~~group of students, in the school, on school grounds, in school~~  
28 ~~vehicles, to or from school, or at school sponsored activities~~  
29 ~~or sanctioned events and that has the effect of:~~

30 ~~(i) physically harming a student or damaging a student's~~

~~property;~~

~~(ii) knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property; or~~

~~(iii) placing severe mental or emotional distress upon the student.~~

~~(2) An intervention program shall refer to any program designed to address mental health needs including, but not limited to, psychological services, parent education and counseling, counseling services, behavior support or conflict resolution programs.~~

SECTION 1303.1-A. POLICY RELATING TO BULLYING.--(A) NO  
LATER THAN JUNE 30, 2007, EACH SCHOOL ENTITY SHALL ADOPT A  
POLICY RELATING TO BULLYING OR AMEND THE SCHOOL ENTITY'S CODE OF  
STUDENT CONDUCT REQUIRED UNDER 22 PA. CODE § 12.3(C) (RELATING  
TO SCHOOL RULES) TO INCLUDE PROVISIONS RELATING TO BULLYING. THE  
POLICY OR AMENDMENT TO THE CODE OF STUDENT CONDUCT SHALL  
DELINEATE DISCIPLINE CONSEQUENCES FOR BULLYING AND MAY PROVIDE  
FOR PREVENTION, INTERVENTION AND EDUCATION PROGRAMS, PROVIDED,  
THAT NO SCHOOL ENTITY SHALL BE REQUIRED TO ESTABLISH A NEW  
POLICY UNDER THIS SECTION IF ONE CURRENTLY EXISTS AND REASONABLY  
FULFILLS THE REQUIREMENTS OF THIS SECTION.

(B) EACH SCHOOL ENTITY SHALL DISTRIBUTE THE POLICY RELATING  
TO BULLYING WITH THE CODE OF STUDENT CONDUCT REQUIRED UNDER 22  
PA. CODE § 12.3(C) AND SHALL MAKE THE POLICY AVAILABLE ON ITS  
PUBLICLY ACCESSIBLE INTERNET WEBSITE.

(C) EACH SCHOOL ENTITY SHALL REVIEW ITS POLICY EVERY THREE  
YEARS AND ANNUALLY PROVIDE THE OFFICE WITH A COPY OF ITS POLICY  
RELATING TO BULLYING, INCLUDING INFORMATION RELATED TO THE  
DEVELOPMENT AND IMPLEMENTATION OF ANY BULLYING PREVENTION,

1 INTERVENTION AND EDUCATION PROGRAMS. THE INFORMATION REQUIRED  
2 UNDER THIS SUBSECTION SHALL BE ATTACHED TO OR MADE PART OF THE  
3 ANNUAL REPORT REQUIRED UNDER SECTION 1303-A(B).

4 (D) FOR THE PURPOSES OF THIS SECTION, "BULLYING" SHALL HAVE  
5 THE SAME MEANING AS IT IS GIVEN IN THE SECTION RELATED TO  
6 DEFINITIONS IN THE ANNUAL REPORT ON SCHOOL VIOLENCE AND WEAPON  
7 POSSESSION THAT SCHOOL ENTITIES ARE REQUIRED TO COMPLETE  
8 PURSUANT TO SECTION 1303-A(B).

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