

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2153 Session of
2008

INTRODUCED BY HARHART, REICHLEY, BELFANTI, CALTAGIRONE, DALLY,
GEIST, GEORGE, GINGRICH, HARKINS, R. MILLER, MOYER, SCAVELLO,
SIPTROTH, R. STEVENSON, VULAKOVICH AND MURT, JANUARY 14, 2008

REFERRED TO COMMITTEE ON EDUCATION, JANUARY 14, 2008

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 safe schools, further providing
6 for definitions; and providing for safe school crisis plans.

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

9 Section 1. Section 1301-A of the act of March 10, 1949
10 (P.L.30, No.14), known as the Public School Code of 1949, added
11 June 30, 1995 (P.L.220, No.26), is amended to read:

12 Section 1301-A. Definitions.--As used in this article,
13 "Committee" shall mean the Safe Schools Advisory Committee
14 established pursuant to this article.

15 "Local law enforcement agencies" shall mean local police
16 departments, regional Pennsylvania State Police field
17 installations or headquarters, county sheriffs' offices and
18 school district police or security departments.

19 "Office" shall mean the Office for Safe Schools.

1 "Plan" shall mean the safe school crisis plan developed and
2 adopted by a school entity.

3 "School entity" shall mean any public school district,
4 intermediate unit, charter school or area vocational-technical
5 school or technical institute.

6 "School property" shall mean any public school grounds, any
7 school-sponsored activity or any conveyance providing
8 transportation to a school entity or school-sponsored activity.

9 "Weapon" shall include, but not be limited to, any knife,
10 cutting instrument, cutting tool, nunchaku, firearm, shotgun,
11 rifle and any other tool, instrument or implement capable of
12 inflicting serious bodily injury.

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

14 Section 1314-A. Safe School Crisis Plans.--(a) By January
15 1, 2009, every school entity shall develop and submit to the
16 Department of Education a safe school crisis plan. The plan
17 shall be submitted to the Department of Education only after it
18 is recommended by the committee and approved by a local board of
19 school directors, area vocational-technical board, intermediate
20 unit council or charter school board of trustees.

21 (b) The plan shall remain in effect until it is superseded
22 by an approved revision.

23 (c) Any revision to the original plan submitted to the
24 Department of Education shall be approved by the local board of
25 school directors, area vocational-technical board, intermediate
26 unit council or charter school board of trustees and the revised
27 plan submitted to the department.

28 (d) (1) The plan shall be prepared for submission to the
29 local board of school directors, area vocational-technical
30 board, intermediate unit council or charter school board of

1 trustees by a safe schools advisory committee.

2 (2) The committee shall, at a minimum, include all of the
3 following: school entity personnel, including, administrators,
4 teachers, school nurses, guidance counselors and school
5 directors or board members; parents; students; local enforcement
6 agencies; community and business leaders; probation and court
7 representatives; social service and health care providers; and
8 other youth-serving professionals.

9 (e) The committee shall hold at least one public hearing
10 prior to preparing its plan for submission to the school board
11 for its approval.

12 (f) Before beginning development of its plan, the committee
13 shall undertake a comprehensive needs assessment to determine
14 specific issues and concerns within the school entity and its
15 surrounding community. The assessments shall include a survey of
16 problems already existing on school property or at school-
17 sponsored activities, such as chronic truancy, vandalism,
18 weapons-related offenses, assault and incidents involving drugs
19 and alcohol, as well as an evaluation of the entity's physical
20 environment in order to identify locations which may be
21 particularly accessible to intrusions or where prior incidents
22 or security breaches have occurred.

23 (g) Concurrent with the needs assessment, the committee
24 shall also compile a directory of school and community-based
25 programs and services for young people that are already
26 available to deal with violence prevention, intervention and
27 rehabilitation.

28 (h) The plan shall include:

29 (1) Procedures for assuring compliance with existing laws
30 related to school safety, including the provisions of this

1 article, sections 1317.1, 1317.2, 1517 and 1518, 18 Pa.C.S. Ch.
2 61 (relating to firearms and other dangerous articles), 23
3 Pa.C.S. Ch. 63 Subch. B (relating to provisions and
4 responsibilities for reporting suspected child abuse) and 23
5 Pa.C.S. Ch. 63 Subch. C.2 (relating to background checks for
6 employment in schools).

7 (2) A code of student conduct which at a minimum complies
8 with 22 Pa. Code 12.3 (relating to school rules).

9 (3) Policies and procedures for dealing with potential
10 crisis situations which, depending on a local assessment of
11 those situations most likely to occur in the district, may
12 include: facilities problems such as electrical outages; fires;
13 protests, strikes or other civil unrest; natural disaster;
14 transportation delays, problems or accidents; individual
15 accidents involving injuries to a student; medical problems
16 involving multiple students, such as a meningitis outbreak;
17 individual medical crisis, including alcohol and drugs;
18 individual mental health crisis, including suicide and the
19 impact of trauma; intentional acts against persons, including,
20 but not limited to, physical assaults, rape, assaults with
21 weapons, assaults with chemicals; bomb threats; bullying;
22 hostage situations; abductions, kidnappings or missing persons;
23 and events outside the school environment which may affect the
24 school community, such as an aircraft crash.

25 (4) Any other programs, curricular offerings or procedures
26 that the committee deems necessary to the safe and orderly
27 operation of the school entity.

28 (i) The following elements shall be included in the policies
29 and procedures developed pursuant to subsection (h)(3):

30 (1) Prevention guidelines which outline policies to prevent

incidents, including: curricular offerings or special age-appropriate programs to develop students' interpersonal skills, such as peer mediation, mentoring, peer intervention and conflict resolution; staff training; techniques and procedures for identification and reporting by staff and students of potential violent or criminal acts; disciplinary and counseling procedures for drug and alcohol-related incidents; and implementation of specific safety procedures to be put in place within the district, such as mandatory visitor identification.

(2) Early interventions which delineate activities and guidelines to inform people of how to assess a potential problem and what to do about it. The activities may include staff training in assessment tools for predicting violent juvenile behavior, bomb threat procedures, and crisis training drills so students and staff know what to do if an emergency occurs.

(3) Crisis intervention guidelines which include directions on how to get help and specific steps to be taken and avoided. The guidelines should be developed in concert with existing memoranda of understanding with law enforcement pursuant to section 1303-A(c). Specific issues that shall be addressed in the guidelines include, but are not limited to, lines of responsibility, reporting procedures, communications protocols, special equipment and material needs.

(4) Support service guidelines which identify needs and available resources in terms of support for staff, students, families and others after a crisis situation occurs. The guidelines may include referral to counseling, rehabilitation or other intervention programs available in the local community.

(5) Debriefing and evaluation which outline procedures for all responders to meet following an incident in order to

1 evaluate how the various components of the plan operated in
2 actual application.

3 (6) Revisions and upgrading of the plan which are based on
4 evaluation and other input from responders, victims, staff and
5 others involved in the incident.

6 (j) In developing the plan, school entities are urged to
7 utilize the existing resources of the Office of Safe Schools
8 established pursuant to section 1302-A.

9 (k) In order to provide for maximum coordination of efforts
10 and to avoid duplication, one or more school entities, technical
11 institutes and charter schools may join to form a consortium for
12 the purposes of developing a school plan and may form a single
13 joint committee to assist them in this regard. School entities
14 may utilize the services of their intermediate units to
15 facilitate such regional planning.

16 (l) The provisions of this section notwithstanding, each
17 school entity which is a member of such a consortium shall
18 submit its own plan, adopted by a local board of school
19 directors, area vocational-technical board, intermediate unit
20 council or charter school board of trustees to the Department of
21 Education.

22 Section 3. This act shall take effect immediately.