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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 870 Session of  
2017

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INTRODUCED BY HUGHES, FONTANA, BREWSTER, FARNESE, BAKER, BROWNE,  
YUDICHAK, MENSCH, RAFFERTY AND COSTA, NOVEMBER 9, 2017

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REFERRED TO EDUCATION, NOVEMBER 9, 2017

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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 Office for Safe Schools.

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

9 Section 1. Section 1302-A(b), (b.1), (c) introductory  
10 paragraph, (3), (6), (7) and (8), (e) and (f) of the act of  
11 March 10, 1949 (P.L.30, No.14), known as the Public School Code  
12 of 1949, are amended and subsection (c) is amended by adding a  
13 paragraph to read:

14 Section 1302-A. Office for Safe Schools.--\* \* \*

15 (b) The office shall have the power and duty to implement  
16 the following:

17 (1) To coordinate antiviolenace efforts between school  
18 entities, postsecondary institutions, professional, parental,  
19 familial, governmental, law enforcement and community  
20 organizations and associations.

1 (2) To collect, develop and disseminate information,  
2 policies, strategies and other information to assist in the  
3 development of programs to [impact] improve prevention of and  
4 response to school violence.

5 (2.1) To direct all school entities and postsecondary  
6 institutions to submit annual school violence statistics and  
7 reports to the office no later than July 31 of each year.

8 (3) To provide [direct training to] professional development  
9 training opportunities for school employes and staff and faculty  
10 of postsecondary institutions, so that they are equipped with  
11 the necessary tools and skills to work with students, parents  
12 and families, law enforcement officials and communities on  
13 effective measures to prevent and combat school violence.

14 (4) To advise school entities [and], nonpublic schools and  
15 postsecondary institutions on the development of policies to be  
16 used regarding possession of weapons by any person, acts of  
17 violence and protocols for coordination with and reporting to  
18 law enforcement officials and the Department of Education.

19 (4.1) [To verify the existence of corrective action plans to  
20 reduce incidents of violence as required in the No Child Left  
21 Behind Act of 2001 (Public Law 107-110, 115 Stat. 1425).] To  
22 monitor and prioritize resources and supports to schools  
23 identified as persistently dangerous under the Elementary and  
24 Secondary Education Act of 1965 (Public Law 89-10, 20 U.S.C. §  
25 6301 et seq.), as amended by the Every Student Succeeds Act  
26 (Public Law 114-95, 129 Stat. 1802).

27 (5) To develop forms to be used by school entities and  
28 police departments for reporting incidents involving acts of  
29 violence and possession of weapons on school property. The forms  
30 shall be reviewed on a biennial basis and revised when

1 necessary.

2 (6) To verify that each school entity [has a biennially  
3 updated and reexecuted memorandum of understanding with local  
4 law enforcement and has filed such memorandum with the office on  
5 a biennial basis.] and postsecondary institution is in  
6 compliance with Federal and State requirements related to  
7 coordination with local law enforcement, including, for school  
8 entities, a memorandum of understanding with local law  
9 enforcement updated, reexecuted and filed with the office on a  
10 biennial basis.

11 (7) To publish and post on the Department of Education's  
12 Internet website a School and Campus Safety Annual Report no  
13 later than November 1 of each calendar year outlining all  
14 incidents required to be reported under section 1303-A and any  
15 school [district] entity that failed to submit a report under  
16 section 1303-A[.], as well as all incidents required to be  
17 reported by postsecondary institutions under section 485(f) of  
18 the Higher Education Act of 1965 (Public Law 89-329, 20 U.S.C. §  
19 1092(f)), and the regulations at 34 CFR 668.46 (relating to  
20 institutional security policies and crime statistics).

21 (8) To establish criteria, in consultation with the  
22 Pennsylvania State Police, for certifying approved vendors to  
23 provide school police officers to nonpublic schools for the  
24 purposes of awarding grants under subsection (c.1)(3).

25 (9) To publish and post on the Department of Education's  
26 publicly accessible Internet website a listing of all approved  
27 vendors under paragraph (8).

28 (10) To develop guidelines and resources for school entities  
29 and postsecondary institutions to eliminate harassment and  
30 violence on the basis of race, color, religious creed, ancestry,

1 sex, sexual orientation, gender identity or expression, national  
2 origin, handicap or disability.

3 (11) To monitor the compliance by school entities and  
4 postsecondary institutions with Federal and State laws, rules  
5 and regulations concerning sexual harassment, sexual misconduct  
6 and sexual discrimination towards students and promote resources  
7 and professional development to improve employe knowledge of  
8 those laws, rules and regulations and of their reporting  
9 responsibilities. The office shall review data submitted by  
10 school entities and postsecondary institutions and request  
11 additional information demonstrating compliance with relevant  
12 laws, rules and regulations from at least ten percent of school  
13 entities and postsecondary institutions each year. The  
14 department shall establish a compliance timetable and rules for  
15 the enforcement of this article, and shall establish guidelines  
16 for nondiscrimination programs to be adopted by school entities  
17 and postsecondary institutions.

18 (b.1) The office shall process and tabulate the data on an  
19 annual basis to assist [school] administrators at school  
20 entities and postsecondary institutions and law enforcement  
21 officials in their duties under this article.

22 (c) In addition to the powers and duties set forth under  
23 subsection (b), the office is authorized to make targeted grants  
24 to school entities and postsecondary institutions to fund  
25 programs which address school violence, including:

26 \* \* \*

27 (3) Risk assessment, safety-related, violence prevention  
28 curricula and evidence-based programs, including, but not  
29 limited to, primary prevention programs and risk reduction  
30 programs, bystander intervention, dating violence curricula and

1 restorative justice strategies.

2 \* \* \*

3 (6) Training to undertake a districtwide or campuswide  
4 assessment of risk factors that increase the likelihood of  
5 problem behaviors among students, including the administration  
6 of school or campus climate surveys.

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 and harassment, including sexual assault  
11 and harassment.

12 (8) [Comprehensive, districtwide school safety, violence  
13 prevention, emergency preparedness and all-hazards plans,  
14 including revisions or updates to such plans and conducting  
15 emergency preparedness drills and related activities with local  
16 emergency responders.] Development or improvement of existing  
17 school or campus reporting systems, including options for  
18 reporting alleged incidents to school or campus officials,  
19 school or campus public safety or local law enforcement. The  
20 reporting systems shall include options for confidential or  
21 anonymous reporting, where appropriate.

22 (8.1) Comprehensive, districtwide or campuswide school  
23 safety, violence prevention, emergency preparedness and all-  
24 hazards plans, including revisions or updates to such plans and  
25 conducting emergency preparedness drills and related activities  
26 with local emergency responders.

27 \* \* \*

28 (e) The sum appropriated annually to the Department of  
29 Education for the purpose of making targeted grants under this  
30 section shall be allocated as follows:

1 (1) [Forty] Sixty percent of the sum shall be allocated for  
2 grants under subsection (c).

3 (2) [Sixty] Forty percent of the sum shall be allocated for  
4 grants under subsection (c.1).

5 (f) As used in this section, ["school entity" shall have the  
6 same meaning given to it under section 222(c).]

7 "Bystander intervention" shall mean safe and positive options  
8 carried out by an individual to prevent harm or to intervene  
9 when there is a risk of dating violence, domestic violence,  
10 sexual assault or stalking. The term includes recognizing  
11 situations of potential harm, understanding institutional  
12 structures and cultural conditions that facilitate violence,  
13 overcoming barriers to intervening, identifying safe and  
14 effective intervention options and taking action to intervene.

15 "Postsecondary institution" shall mean an institution of  
16 higher education, including a community college, a State-related  
17 institution and a member institution of the State System of  
18 Higher Education.

19 "Primary prevention programs" shall mean programming,  
20 initiatives and strategies informed by research, or assessed for  
21 value, effectiveness or outcome that are intended to stop dating  
22 violence, domestic violence, sexual assault and stalking before  
23 they occur through the promotion of positive and healthy  
24 behaviors that foster healthy, mutually respectful relationships  
25 and sexuality, encourage safe bystander intervention and seek to  
26 change behavior and social norms in healthy and safe directions.

27 "Risk reduction" shall mean options designed to decrease  
28 perpetration and bystander inaction and to increase empowerment  
29 for victims in order to promote safety and help individuals and  
30 communities address conditions that facilitate violence.

1       "School entity" shall mean any local education agency,  
2 including a public school district, charter school, cyber  
3 charter school or area vocational-technical school.

4       Section 2. This act shall take effect in 60 days.