

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 395 Session of  
2007

INTRODUCED BY WASHINGTON, COSTA, KITCHEN, GREENLEAF, ORIE,  
MUSTO, STACK, STOUT AND TARTAGLIONE, MARCH 13, 2007

REFERRED TO EDUCATION, MARCH 13, 2007

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," providing for child abuse  
6 identification training.

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

9 Section 1. The act of March 10, 1949 (P.L.30, No.14), known  
10 as the Public School Code of 1949, is amended by adding a  
11 section to read:

12 Section 1205.5. Child Abuse Identification Training  
13 Program.--(a) A child abuse identification training program is  
14 established to provide periodic training in child abuse  
15 identification for covered employees of a school entity.

16 (b) (1) The Department of Public Welfare, in consultation  
17 with the Department of Education, shall establish the program.

18 (2) The program shall include courses of training in child  
19 abuse identification for covered employees of school entities and

1 may include, in the discretion of the department, additional  
2 courses for the training of additional school employees who are  
3 not covered employees. Such courses shall contain substantive  
4 content for such child abuse identification training and shall  
5 include a listing of suggested methods and media for conducting  
6 the training.

7 (3) (i) The program shall require a school entity to  
8 provide the covered employees with the opportunity to attend a  
9 minimum number of hours of course training annually.

10 (ii) The program shall require a school entity to provide a  
11 number of training courses for covered employees sufficient for  
12 the covered employees to meet the requirements of subsection (d).

13 (4) The program shall contain a system of maintaining  
14 records of training course completion by covered employees. The  
15 guidelines shall include provisions for reporting by school  
16 entities and approved providers of course completion. This  
17 system shall provide for the notification to the Department of  
18 Education.

19 (5) The program shall provide for the specialized training  
20 of certain covered employees who, if they successfully complete  
21 the specialized training, may subsequently conduct training  
22 courses for other covered employees and other school entity  
23 employees.

24 (c) (1) A school entity shall provide covered employees who  
25 are employed by the school entity with child abuse  
26 identification training under the program.

27 (2) A school entity may elect to offer a voluntary course in  
28 child abuse identification training for those school entity  
29 employees who are not covered employees.

30 (3) A school entity may determine the time and manner in

providing the training courses to the covered employees and any other school entity employees.

(4) Where the department has established training courses for school entity employees other than covered employees, a school entity may elect to offer such courses.

(d) (1) All covered employees shall complete the number of hours of course training as herein specified:

(i) For covered employees who are employees of the school entity on the effective date of this section:

(A) two (2) hours of course training within one year of the effective date of this section; and

(B) a minimum of four (4) hours of course training for every two-year period beginning on the second year following the effective date of this section.

(ii) For covered employees who are employed by the school entity after the effective date of this section:

(A) two (2) hours of course training within one year of the date of employment of the covered employee; and

(B) a minimum of four (4) hours of course training for every two-year period beginning on the second year following the date of employment of the covered employee.

(2) Those covered employees who are professional educators shall complete the course training as a condition to maintain active certification. A maximum of two (2) hours every four years shall be considered credited hours of continuing education for the purposes of section 1205.2.

(e) As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

"Child abuse identification program" or "program" shall mean the program for the training of certain school employees in the

1 identification of suspected child abuse established under this  
2 act.

3 "Covered employe" shall mean any employe of a school entity  
4 who, as a mandatory child abuse reporter, is required to report  
5 suspected child abuse pursuant to 23 Pa.C.S. § 6311 (relating to  
6 persons required to report suspected child abuse), which  
7 includes professional educators.

8 "Department" shall mean the Department of Public Welfare of  
9 the Commonwealth.

10 "Department of Education" shall mean the Department of  
11 Education of the Commonwealth.

12 "Professional educator" shall mean the same as the meaning  
13 provided in section 1205.2.

14 "School entity" shall mean a school district, intermediate  
15 unit, joint school district, area vocational-technical school,  
16 charter school, Scotland School for Veterans' Children, Scranton  
17 School for the Deaf or any of the above acting jointly.

18 "Training course" shall mean a course within the program  
19 consisting of substantive content for employe instruction on  
20 identifying suspected child abuse.

21 Section 2. Section 1732-A(a) of the act, amended June 29,  
22 2002 (P.L.524, No.88), is amended to read:

23 Section 1732-A. Provisions Applicable to Charter Schools.--

24 (a) Charter schools shall be subject to the following:

25 Sections 108, 110, 111, 321, 325, 326, 327, 431, 436, 443,  
26 510, 518, 527, 708, 736, 737, 738, 739, 740, 741, 752, 753,  
27 [755,] 771, 776, 777, 808, 809, 810, 1109, 1111, 1112(a),  
28 1205.5, 1301, 1310, 1317, 1317.1, 1317.2, 1318, 1327, 1330,  
29 1332, 1303-A, 1513, 1517, 1518, 1521, 1523, 1531, 1547, 2014-A,  
30 Article XIII-A and Article XIV.

1 Act of July 17, 1961 (P.L.776, No.341), known as the  
2 "Pennsylvania Fair Educational Opportunities Act."

3 Act of July 19, 1965 (P.L.215, No.116), entitled "An act  
4 providing for the use of eye protective devices by persons  
5 engaged in hazardous activities or exposed to known dangers in  
6 schools, colleges and universities."

7 Section 4 of the act of January 25, 1966 (1965 P.L.1546,  
8 No.541), entitled "An act providing scholarships and providing  
9 funds to secure Federal funds for qualified students of the  
10 Commonwealth of Pennsylvania who need financial assistance to  
11 attend postsecondary institutions of higher learning, making an  
12 appropriation, and providing for the administration of this  
13 act."

14 Act of July 12, 1972 (P.L.765, No.181), entitled "An act  
15 relating to drugs and alcohol and their abuse, providing for  
16 projects and programs and grants to educational agencies, other  
17 public or private agencies, institutions or organizations."

18 Act of December 15, 1986 (P.L.1595, No.175), known as the  
19 "Antihazing Law."

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