

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## SENATE BILL

No. 395 Session of  
2007

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

SENATOR RHOADES, EDUCATION, AS AMENDED, MAY 6, 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," providing for child abuse~~  
6 ~~identification training.~~

7 AMENDING THE ACT OF MARCH 10, 1949 (P.L.30, NO.14), ENTITLED "AN <—  
8 ACT RELATING TO THE PUBLIC SCHOOL SYSTEM, INCLUDING CERTAIN  
9 PROVISIONS APPLICABLE AS WELL TO PRIVATE AND PAROCHIAL  
10 SCHOOLS; AMENDING, REVISING, CONSOLIDATING AND CHANGING THE  
11 LAWS RELATING THERETO," PROVIDING FOR ABUSE IDENTIFICATION  
12 TRAINING.

13 The General Assembly of the Commonwealth of Pennsylvania  
14 hereby enacts as follows:

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

18 ~~Section 1205.5. Child Abuse Identification Training~~  
19 ~~Program. (a) A child abuse identification training program is~~  
20 ~~established to provide periodic training in child abuse~~  
21 ~~identification for covered employees of a school entity.~~

22 ~~(b) (1) The Department of Public Welfare, in consultation~~

~~with the Department of Education, shall establish the program.~~

~~(2) The program shall include courses of training in child abuse identification for covered employees of school entities and may include, in the discretion of the department, additional courses for the training of additional school employees who are not covered employees. Such courses shall contain substantive content for such child abuse identification training and shall include a listing of suggested methods and media for conducting the training.~~

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

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

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

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

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

~~(2) A school entity may elect to offer a voluntary course in~~

~~child abuse identification training for those school entity employees who are not covered employees.~~

~~(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.~~

~~(c) 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 employes in the identification of suspected child abuse established under this act.~~

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

~~"Department" shall mean the Department of Public Welfare of the Commonwealth.~~

~~"Department of Education" shall mean the Department of Education of the Commonwealth.~~

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

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

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

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

~~Section 1732 A. Provisions Applicable to Charter Schools. (a) Charter schools shall be subject to the following:~~

~~Sections 108, 110, 111, 321, 325, 326, 327, 431, 436, 443, 510, 518, 527, 708, 736, 737, 738, 739, 740, 741, 752, 753, {755,} 771, 776, 777, 808, 809, 810, 1109, 1111, 1112(a),~~

~~1205.5, 1301, 1310, 1317, 1317.1, 1317.2, 1318, 1327, 1330,  
1332, 1303 A, 1513, 1517, 1518, 1521, 1523, 1531, 1547, 2014 A,  
Article XIII A and Article XIV.~~

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

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

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

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

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

~~\* \* \*~~

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

SECTION 1. THE ACT OF MARCH 10, 1949 (P.L.30, NO.14), KNOWN  
AS THE PUBLIC SCHOOL CODE OF 1949, IS AMENDED BY ADDING A  
SECTION TO READ:

SECTION 1205.6. ABUSE IDENTIFICATION TRAINING PROGRAM.--(A)  
AN ABUSE IDENTIFICATION TRAINING PROGRAM IS ESTABLISHED TO  
PROVIDE TRAINING IN ABUSE IDENTIFICATION FOR PERSONS EMPLOYED BY

1 OR UNDER CONTRACT WITH A SCHOOL ENTITY.

2 (B) THE FOLLOWING APPLY:

3 (1) THE DEPARTMENT OF PUBLIC WELFARE, IN CONSULTATION WITH  
4 THE DEPARTMENT, SHALL ESTABLISH THE PROGRAM.

5 (2) THE PROGRAM SHALL INCLUDE TRAINING IN ABUSE  
6 IDENTIFICATION FOR ANY PERSON THAT IS EMPLOYED BY OR UNDER  
7 CONTRACT WITH A SCHOOL ENTITY AND THAT IS SUBJECT TO 23 PA.C.S.  
8 § 6311 (RELATING TO PERSONS REQUIRED TO REPORT SUSPECTED CHILD  
9 ABUSE) OR CH. 63 SUBCH. C.1 (RELATING TO STUDENTS IN PUBLIC AND  
10 PRIVATE SCHOOLS).

11 (C) A PERSON UNDER SUBSECTION (B)(2) SHALL COMPLETE THE  
12 COURSE TRAINING SPECIFIED BY THE DEPARTMENT OF PUBLIC WELFARE IN  
13 CONSULTATION WITH THE DEPARTMENT.

14 (D) A PROFESSIONAL EDUCATOR SHALL RECEIVE CREDIT TOWARD  
15 CONTINUING PROFESSIONAL EDUCATION REQUIREMENTS UNDER SECTION  
16 1205.2 FOR TRAINING COMPLETED UNDER SUBSECTION (C).

17 (E) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES  
18 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION:

19 "DEPARTMENT" SHALL MEAN THE DEPARTMENT OF EDUCATION OF THE  
20 COMMONWEALTH.

21 "PROFESSIONAL EDUCATOR" SHALL MEAN THE SAME AS THE MEANING  
22 PROVIDED IN SECTION 1205.2(O).

23 "SCHOOL ENTITY" SHALL MEAN A SCHOOL DISTRICT, INTERMEDIATE  
24 UNIT, JOINT SCHOOL DISTRICT, AREA VOCATIONAL-TECHNICAL SCHOOL,  
25 CHARTER SCHOOL, SCOTLAND SCHOOL FOR VETERANS' CHILDREN, AND  
26 SCRANTON SCHOOL FOR THE DEAF.

27 SECTION 2. THIS ACT SHALL TAKE EFFECT IN 180 DAYS.