

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1090 Session of
2009

INTRODUCED BY CURRY, BURNS, CARROLL, FRANKEL, KESSLER, KORTZ,
KULA, MAHONEY, MUNDY, M. O'BRIEN, PASHINSKI, PAYTON,
REICHLEY, SIPTROTH, K. SMITH, VULAKOVICH, WAGNER, WILLIAMS,
YUDICHAK AND MURT, MARCH 24, 2009

AS REPORTED FROM COMMITTEE ON EDUCATION, HOUSE OF
REPRESENTATIVES, AS AMENDED, MARCH 10, 2010

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 intermediate units, providing for~~ ←
6 ~~school social work services; and, in professional employees,~~ ←
7 further providing for definitions; AND PROVIDING FOR SCHOOL
8 SOCIAL WORKERS.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

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

14 Section 923.3 A. School Social Work Services. (a)
15 Intermediate units or school districts may offer a program of
16 school social work services as part of the offering of pupil
17 personnel services.

18 (b) Definitions. As used in this section:

19 "School social worker" shall mean a certified employee who

~~provides social work services and support to students and their families and who holds a license in good standing as a licensed social worker or a licensed clinical social worker under the act of July 9, 1987 (P.L.220, No.39), known as the "Social Workers, Marriage and Family Therapists and Professional Counselors Act."~~

~~"School social work services" shall mean social work services provided in the setting of an educational agency by a school social worker. The term includes:~~

~~(1) Prevention and intervention services. This paragraph includes strengthening school systems and fostering healthy climates.~~

~~(2) Assessments. This paragraph includes special education evaluations, functional behavior, manifestation determinations, behavior interventions and mental health recommendations.~~

~~(3) Counseling services. This paragraph includes individual counseling, group counseling, family counseling and alcohol and drug counseling.~~

~~(4) Consultation. This paragraph includes classroom observations, teacher consultations, case conferences and consultation with administration on program needs.~~

~~(5) Parent and community liaison. This paragraph includes home school community liaison, engaging community in student success and home visits.~~

~~(6) Violence reduction. This paragraph includes child abuse recognition and reporting, crisis intervention, peer mediation, anger management and bully proofing.~~

~~(7) Referrals and collaboration. This paragraph includes linking students to community resources and collaborating with outside agencies.~~

~~(8) Assuring compliance with Federal mandates.~~

~~(9) School involvement. This paragraph includes classroom presentations, school-wide assembly presentations and participation in school committees.~~

~~(10) Training. This paragraph includes social skills, parenting skills, staff in-service and parent teacher organization training.~~

~~Section 2. Section 1101 of the act, amended November 30, 1971 (P.L.546, No.144), is amended to read:~~

SECTION 1. SECTION 1101(1) OF THE ACT OF MARCH 10, 1949 (P.L.30, NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF 1949, AMENDED NOVEMBER 30, 1971 (P.L.546, NO.144), IS AMENDED TO READ:

Section 1101. Definitions.--As used in this article,

(1) The term "professional employe" shall include those who are certificated as teachers, supervisors, supervising principals, principals, assistant principals, vice-principals, directors of vocational education, dental hygienists, visiting teachers, home and school visitors, school social workers, school counselors, child nutrition program specialists, school librarians, school secretaries the selection of whom is on the basis of merit as determined by eligibility lists and school nurses.

~~(2) The term "substitute" shall mean any individual who has been employed to perform the duties of a regular professional employe during such period of time as the regular professional employe is absent on sabbatical leave or for other legal cause authorized and approved by the board of school directors or to perform the duties of a temporary professional employe who is absent.~~

~~(3) The term "temporary professional employe" shall mean any individual who has been employed to perform, for a limited time,~~

~~the duties of a newly created position or of a regular professional employee whose services have been terminated by death, resignation, suspension or removal.~~

~~(4) The term "school social worker" shall have the meaning given in section 923.3 A(b).~~

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SECTION 2. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

SECTION 1107.1. SCHOOL SOCIAL WORKERS.--(A) AN INDIVIDUAL EMPLOYED BY A SCHOOL ENTITY AS A SCHOOL SOCIAL WORKER MUST HOLD A SCHOOL SOCIAL WORKER CERTIFICATE ISSUED BY THE DEPARTMENT OF EDUCATION.

(B) THE REQUIREMENTS OF SUBSECTION (A) SHALL NOT APPLY TO AN INDIVIDUAL WHO:

(1) MEETS THE EXCEPTION FOR SCHOOL SOCIAL WORKERS STATED IN SECTION 3 OF THE ACT OF JULY 9, 1987 (P.L.220, NO.39), KNOWN AS THE "SOCIAL WORKERS, MARRIAGE AND FAMILY THERAPISTS AND PROFESSIONAL COUNSELORS ACT"; OR

(2) IS EMPLOYED AS A SCHOOL SOCIAL WORKER BY A SCHOOL ENTITY OR PRIVATE SCHOOL IN THIS COMMONWEALTH PRIOR TO THE DEVELOPMENT OF A SOCIAL WORKER CERTIFICATE BY THE DEPARTMENT OF EDUCATION.

(C) A SOCIAL WORKER PERFORMING SERVICES IN A SCHOOL ENTITY MAY WORK UNDER THE SUPERVISION OF A SUPERINTENDENT, ASSISTANT SUPERINTENDENT OR OTHER SCHOOL ADMINISTRATOR OR EMPLOYEE AS DETERMINED BY THE SCHOOL ENTITY.

(D) THE DEPARTMENT OF EDUCATION SHALL DEVELOP A SCHOOL SOCIAL WORKER CERTIFICATE NO LATER THAN SIXTY (60) DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION.

(E) FOR THE PURPOSES OF THIS SECTION, THE TERM "SCHOOL ENTITY" SHALL MEAN ANY PUBLIC SCHOOL DISTRICT, INTERMEDIATE UNIT, CHARTER SCHOOL OR AREA VOCATIONAL-TECHNICAL SCHOOL.

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