
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 893 Session of
2017

INTRODUCED BY MURT, V. BROWN, D. COSTA, DAVIDSON, FRANKEL,
FREEMAN, McNEILL, D. MILLER, NEILSON, READSHAW, ROEBUCK,
SAYLOR, SCHLOSSBERG, SOLOMON, TAYLOR AND WATSON,
MARCH 17, 2017

REFERRED TO COMMITTEE ON EDUCATION, MARCH 17, 2017

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 certification of teachers, further
6 providing for program of continuing professional education;
7 and, in safe schools, further providing for definitions, for
8 reporting and for policy relating to bullying and providing
9 for powers and duties of Department of Education.

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

12 Section 1. Section 1205.2 of the act of March 10, 1949
13 (P.L.30, No.14), known as the Public School Code of 1949, is
14 amended by adding a subsection to read:

15 Section 1205.2. Program of Continuing Professional
16 Education.--* * *

17 (a.1) In addition to the continuing education program
18 required under subsection (a), each professional educator shall
19 complete at least four (4) hours of training focused solely on
20 the identification and prevention of, intervention in and the

1 use of the online portal to report harassment, bullying and
2 cyberbullying as the terms are defined in section 1301-A or to
3 complete the online training and examination programs
4 established in section 1303.2-A(3) and (4).

5 * * *

6 Section 2. The definition of "school property" in section
7 1301-A of the act is amended and the section is amended by
8 adding definitions to read:

9 Section 1301-A. Definitions.--As used in this article,

10 "Bullying" shall mean any written, verbal or physical act or
11 conduct which may, but shall not be required to, be based on an
12 actual or perceived characteristic, including, but not limited
13 to, a characteristic related to race, color, religion, national
14 origin, ancestry, ethnicity, sexual orientation, physical
15 disability, mental or emotional health, learning disability,
16 gender, gender identity or expression, socioeconomic status or
17 physical appearance or based on an association with a person who
18 has or is perceived to have one or more such characteristics
19 and:

20 (1) is directed at a specific student or students;

21 (2) occurs in a school setting;

22 (3) is severe, persistent or pervasive; and

23 (4) has or can be reasonably predicted to have the effect of
24 one or more of the following:

25 (i) places a reasonable student in fear of physical harm to
26 the student's person or property;

27 (ii) causes a substantially detrimental effect on a
28 reasonable student's physical or mental health; or

29 (iii) substantially interferes with a student's ability to
30 participate in or benefit from the services, activities or

1 privileges provided by a school.

2 * * *

3 "Cyberbullying" shall mean bullying that occurs through
4 electronic communication.

5 "Electronic communication" shall mean the following:

6 (1) a form of communication through an electronic
7 device, including, but not limited to:

8 (i) a telephone;

9 (ii) a cellular phone;

10 (iii) a computer; or

11 (iv) a pager.

12 (2) The term includes, but is not limited to, e-mail,
13 instant messaging, text messaging, blogging, paging, online
14 gaming and communication through an Internet website.

15 "Harassment" shall have the same meaning as defined under 18
16 Pa.C.S. § 2709 (relating to harassment).

17 * * *

18 "School property" or "school setting" shall mean any public
19 school grounds, any school-sponsored activity [or], any
20 conveyance providing transportation to a school entity or
21 school-sponsored activity[.] or event, or a designated school
22 bus stop when students are waiting to be picked up by school-
23 provided transportation or exiting from school-provided
24 transportation.

25 * * *

26 Section 3. Sections 1303-A(b), (b.1), (c) and (e) (2) and
27 1303.1-A of the act are amended to read:

28 Section 1303-A. Reporting.--* * *

29 (b) [Each chief school administrator shall report to the
30 office by July 31 of each year all new] All incidents involving

1 acts of violence, possession of a weapon or possession, use or
2 sale of controlled substances as defined in the act of April 14,
3 1972 (P.L.233, No.64), known as "The Controlled Substance, Drug,
4 Device and Cosmetic Act," or possession, use or sale of alcohol
5 or tobacco by any person on school property shall be reported to
6 the office through the safe schools online portal pursuant to
7 the procedure set forth in section 1303.2-A. [The incidents to
8 be reported to the office shall include all incidents involving
9 conduct that constitutes a criminal offense listed under
10 paragraphs (4.1) and (4.2). Reports on a form to be developed
11 and provided by the office shall include:] Reports through the
12 acts-of-violence online interface within the safe schools online
13 portal required under section 1303.2-A shall include, at a
14 minimum, the following information:

15 (1) Age or grade of student.

16 (2) Name and address of school.

17 (3) Circumstances surrounding the incident, including, but
18 not limited to, type of weapon, controlled substance, alcohol or
19 tobacco, the date, time and location of the incident, if a
20 person other than a student is involved in the incident and any
21 relationship to the school entity.

22 (3.1) Race of student.

23 (3.2) Whether the student has an Individualized Education
24 Plan under the Individuals with Disabilities Education Act
25 (Public Law 91-230, 20 U.S.C. § 1400 et seq.), and if so, the
26 type of disability.

27 (4) Sanction imposed by the school.

28 (4.1) A list of criminal offenses which shall, at a minimum,
29 include:

30 (i) The following offenses under 18 Pa.C.S. (relating to

1 crimes and offenses):

2 Section 908 (relating to prohibited offensive weapons).

3 Section 912 (relating to possession of weapon on school
4 property).

5 Chapter 25 (relating to criminal homicide).

6 Section 2702 (relating to aggravated assault).

7 Section 2709.1 (relating to stalking).

8 Section 2901 (relating to kidnapping).

9 Section 2902 (relating to unlawful restraint).

10 Section 3121 (relating to rape).

11 Section 3122.1 (relating to statutory sexual assault).

12 Section 3123 (relating to involuntary deviate sexual
13 intercourse).

14 Section 3124.1 (relating to sexual assault).

15 Section 3124.2 (relating to institutional sexual assault).

16 Section 3125 (relating to aggravated indecent assault).

17 Section 3126 (relating to indecent assault).

18 Section 3301 (relating to arson and related offenses).

19 Section 3307 (relating to institutional vandalism) when the
20 penalty is a felony of the third degree.

21 Section 3502 (relating to burglary).

22 Section 3503(a) and (b)(1)(v) (relating to criminal
23 trespass).

24 Section 5501 (relating to riot).

25 Section 6110.1 (relating to possession of firearm by minor).

26 (ii) The possession, use or sale of a controlled substance
27 or drug paraphernalia as defined in "The Controlled Substance,
28 Drug, Device and Cosmetic Act."

29 (iii) Attempts, solicitation or conspiracy to commit any of
30 the offenses listed in subclauses (i) and (ii).

1 (iv) An offense for which registration is required under 42
2 Pa.C.S. § 9795.1 (relating to registration).

3 (4.2) The following offenses under 18 Pa.C.S., and any
4 attempt, solicitation or conspiracy to commit any of these
5 offenses:

6 Section 2701 (relating to simple assault).

7 Section 2705 (relating to recklessly endangering another
8 person).

9 Section 2706 (relating to terroristic threats).

10 Section 2709 (relating to harassment).

11 Section 3127 (relating to indecent exposure).

12 Section 3307 (relating to institutional vandalism) when the
13 penalty is a misdemeanor of the second degree.

14 Section 3503(b)(1)(i), (ii), (iii) and (iv), (b.1) and (b.2)
15 (relating to criminal trespass).

16 Chapter 39 (relating to theft and related offenses).

17 Section 5502 (relating to failure of disorderly persons to
18 disperse upon official order).

19 Section 5503 (relating to disorderly conduct).

20 Section 6305 (relating to sale of tobacco).

21 Section 6306.1 (relating to use of tobacco in schools
22 prohibited).

23 Section 6308 (relating to purchase, consumption, possession
24 or transportation of liquor or malt or brewed beverages).

25 (4.3) If the discipline infraction was a violation of the
26 policy adopted under section 1303.1-A.

27 (5) Notification of law enforcement.

28 (5.1) Law enforcement response.

29 (6) Remedial programs involved.

30 (7) Parental involvement required.

1 (8) Arrests, convictions and adjudications, if known.

2 (b.1) [Prior to submitting the report required under
3 subsection (b), each chief school administrator] The chief
4 school administrator shall send an acts-of-violence report from
5 the acts-of-violence online interface within the safe schools
6 online portal established under section 1303.2-A to the police
7 department that has jurisdiction over the relevant school
8 property on an annual basis. Each chief school administrator and
9 each police department having jurisdiction over school property
10 of the school entity shall [do all of the following] have the
11 following duties:

12 (1) [No later than thirty (30) days prior to the deadline
13 for submitting the report to the office required under
14 subsection (b), the] The chief school administrator shall submit
15 the report to the police department with jurisdiction over the
16 relevant school property. The police department shall review the
17 report and compare the data regarding criminal offenses and
18 notification of law enforcement to determine whether the report
19 accurately reflects police incident data.

20 (2) No later than [fifteen (15) days prior to the deadline
21 for the chief school administrator to submit the report required
22 under subsection (b)] twenty-one (21) days after receiving the
23 acts-of-violence report, the police department shall notify the
24 chief school administrator, in writing, whether the report
25 accurately reflects police incident data. Where the police
26 department determines that the report accurately reflects police
27 incident data, the chief of police shall sign the report. Where
28 the police department determines that the report does not
29 accurately reflect police incident data, the police department
30 shall indicate any discrepancies between the report and police

1 incident data.

2 (3) [Prior to submitting the report required under
3 subsection (b), the] The chief school administrator and the
4 police department shall attempt to resolve discrepancies between
5 the report and police incident data. Where a discrepancy remains
6 unresolved, the police department shall notify the chief school
7 administrator and the office in writing.

8 (4) Where a police department fails to take action as
9 required under paragraph (1), (2) or (3), the chief school
10 administrator [shall submit the report required under subsection
11 (b) and indicate that the police department failed to take
12 action as required under paragraph (2) or (3).] shall indicate
13 the police department's failure to take action by entering the
14 information in the acts-of-violence online interface within the
15 safe schools online portal under subsection (b).

16 (c) Each chief school administrator shall form an advisory
17 committee composed of relevant school staff, including, but not
18 limited to, principals, security personnel, school resource
19 officers, guidance counselors and special education
20 administrators, to assist in the development of a memorandum of
21 understanding pursuant to this section. In consultation with the
22 advisory committee, each chief school administrator shall enter
23 into a memorandum of understanding with police departments
24 having jurisdiction over school property of the school entity.
25 Each chief school administrator shall submit a copy of the
26 memorandum of understanding to the office by June 30, 2011, and
27 biennially update and re-execute a memorandum of understanding
28 with local law enforcement and file such memorandum with the
29 office on a biennial basis. The memorandum of understanding
30 shall be signed by the chief school administrator, the chief of

1 police of the police department with jurisdiction over the
2 relevant school property and principals of each school building
3 of the school entity. The memorandum of understanding shall
4 comply with the regulations promulgated by the State Board of
5 Education under section 1302.1-A and shall also include:

6 (1) The procedure for police department review of the annual
7 report required under subsection (b) [prior to the chief school
8 administrator filing the report required under subsection (b)
9 with the office].

10 (2) A procedure for the resolution of school violence data
11 discrepancies in the report [prior to filing the report required
12 under subsection (b) with the office].

13 (3) Additional matters pertaining to crime prevention agreed
14 to between the chief school administrator and the police
15 department.

16 * * *

17 (e) * * *

18 (2) In addition to any other disciplinary actions set forth
19 in the "Professional Educator Discipline Act," a chief school
20 administrator or principal of a school entity who intentionally
21 fails to [submit the report] enter thorough and accurate
22 information into the acts-of-violence online interface as
23 required under subsection (b) or enter into the memorandum of
24 understanding with the police department with jurisdiction over
25 the relevant school property, report an incident involving an
26 act of violence, possession of a weapon or an offense cited
27 under subsection (b) (4.1) that occurs on school property to a
28 police department or submit a copy of the memorandum of
29 understanding to the office as required under subsection (c) or
30 who intentionally falsifies a report submitted as required under

1 this section shall be subject to prosecution for violation of 18
2 Pa.C.S. § 4904 (relating to unsworn falsification to
3 authorities). The following civil penalties may be imposed by
4 the Professional Standards and Practices Commission for
5 violations of this article:

- 6 (i) for a first violation, \$2,500;
- 7 (ii) for a second violation, \$3,500; or
- 8 (iii) for a third or subsequent violation, \$5,000.

9 Any penalty imposed under this paragraph shall be paid to the
10 Department of Education and used for the support of the office.

11 Section 1303.1-A. Policy Relating to Bullying.--[(a) No
12 later than January 1, 2009, each school entity shall adopt a
13 policy or amend its existing policy relating to bullying and
14 incorporate the policy into the school entity's code of student
15 conduct required under 22 Pa. Code § 12.3(c) (relating to school
16 rules). The policy shall delineate disciplinary consequences for
17 bullying and may provide for prevention, intervention and
18 education programs, provided that no school entity shall be
19 required to establish a new policy under this section if one
20 currently exists and reasonably fulfills the requirements of
21 this section. The policy shall identify the appropriate school
22 staff person to receive reports of incidents of alleged
23 bullying.

24 (b) Each school entity shall make the policy available on
25 its publicly accessible Internet website, if available, and in
26 every classroom. Each school entity shall post the policy at a
27 prominent location within each school building where such
28 notices are usually posted. Each school entity shall ensure that
29 the policy and procedures for reporting bullying incidents are
30 reviewed with students within ninety (90) days after their

1 adoption and thereafter at least once each school year.

2 (c) Each school entity shall review its policy every three
3 (3) years and annually provide the office with a copy of its
4 policy relating to bullying, including information related to
5 the development and implementation of any bullying prevention,
6 intervention and education programs. The information required
7 under this subsection shall be attached to or made part of the
8 annual report required under section 1303-A(b).

9 (d) In its policy relating to bullying adopted or maintained
10 under subsection (a), a school entity shall not be prohibited
11 from defining bullying in such a way as to encompass acts that
12 occur outside a school setting if those acts meet the
13 requirements contained in subsection (e) (1), (3) and (4). If a
14 school entity reports acts of bullying to the office in
15 accordance with section 1303-A(b), it shall report all incidents
16 that qualify as bullying under the entity's adopted definition
17 of that term.

18 (e) For purposes of this article, "bullying" shall mean an
19 intentional electronic, written, verbal or physical act, or a
20 series of acts:

- 21 (1) directed at another student or students;
- 22 (2) which occurs in a school setting;
- 23 (3) that is severe, persistent or pervasive; and
- 24 (4) that has the effect of doing any of the following:
 - 25 (i) substantially interfering with a student's education;
 - 26 (ii) creating a threatening environment; or
 - 27 (iii) substantially disrupting the orderly operation of the
28 school; and

29 "school setting" shall mean in the school, on school grounds,
30 in school vehicles, at a designated bus stop or at any activity

1 sponsored, supervised or sanctioned by the school.]

2 (f) No later than July 1, 2018, each school entity shall
3 adopt the Department of Education's model policy related to
4 bullying required under section 1303.2-A(5) or an alternative
5 policy that includes, at a minimum, the requirements of section
6 1303.2-A(5) prohibiting harassment, bullying and cyberbullying.
7 A school entity may comply with this subsection by amending the
8 school entity's existing policy to include, at a minimum, the
9 requirements of section 1303.2-A(5). The school entity shall
10 involve students, parents, guardians, administrators, school
11 staff, school volunteers and local law enforcement agencies in
12 the process of adopting an alternative policy if the school
13 entity chooses not to implement the Department of Education's
14 model policy related to bullying.

15 (g) Each school building shall adopt and follow the bullying
16 policy established by the school entity where the school
17 building is located.

18 (h) Each school entity shall incorporate a bullying policy
19 into the school entity's code of student conduct required under
20 22 Pa. Code § 12.3(c) (relating to school rules). The school
21 entity's policy shall be implemented in a manner that is ongoing
22 throughout the school year and integrated with each school
23 entity's discipline policies and other violence prevention
24 efforts. Discipline imposed under the policy must be consistent
25 with Federal and State law.

26 (i) Students, school staff and volunteers shall not engage
27 in harassment, bullying or cyberbullying that takes place:

28 (1) in a school setting; or

29 (2) through use of electronic communication outside a school
30 setting that is directed at a student, and is so severe,

1 persistent or pervasive that the harassment, bullying or
2 cyberbullying substantially interferes with a student's ability
3 to participate in or benefit from the services, activities or
4 privileges provided by a school.

5 (j) A school employe who promptly reports in good faith an
6 act of harassment, bullying or cyberbullying to the appropriate
7 school official designated in the school entity's model policy
8 related to bullying established under this section and who makes
9 the report in compliance with the procedures specified in the
10 policy shall be immune from a cause of action for damages
11 arising out of the reporting.

12 (k) Nothing in this section shall be construed:

13 (1) to prevent a victim of harassment, bullying or
14 cyberbullying from seeking redress under another available civil
15 or criminal law; or

16 (2) to infringe upon the right of a school employe or
17 student to engage in speech or expression protected by the
18 Constitution of the United States or the Constitution of
19 Pennsylvania.

20 (l) If a provision of this section or the application of the
21 provision to a person or circumstance is held invalid, the
22 invalidity shall not affect other provisions or applications of
23 the section unless the invalid provision or application is
24 declared severable.

25 Section 4. The act is amended by adding a section to read:

26 Section 1303.2-A. Powers and Duties of Department of
27 Education.--The Department of Education shall have the following
28 powers and duties:

29 (1) By November 1, 2017, establish, develop and maintain a
30 secure Internet safe schools online portal which shall be

1 accessible only by employees of the Department of Education and
2 the professional school employees in each school entity. The
3 portal shall include:

4 (i) A bullying online interface for school employees to enter
5 and track harassment, bullying or cyberbullying incidents and
6 followup. At a minimum, the safe schools bullying online
7 interface shall include areas to enter information related to:

8 (A) All complaints related to the specific incident of
9 harassment, bullying or cyberbullying.

10 (B) Names of each party involved, including the name of the
11 individual who entered the details of the incident into the
12 online portal.

13 (C) Complete and accurate information regarding the
14 investigation, including the name of the individual responsible
15 for the investigation.

16 (D) Complete and accurate information regarding the
17 resolution of the complaint.

18 (ii) An acts-of-violence online interface to enter and track
19 all incidents involving acts of violence, possession of a weapon
20 or possession, use or sale of controlled substances as defined
21 in section 2 of the act of April 14, 1972 (P.L.233, No.64),
22 known as "The Controlled Substance, Drug, Device and Cosmetic
23 Act," or possession, use or sale of alcohol or tobacco by a
24 person on school property. At a minimum, the acts-of-violence
25 online interface shall include all information required under
26 section 1303-A. At the discretion of the Department of
27 Education, the acts-of-violence online interface may be
28 integrated with the bullying online interface established under
29 subparagraph (i) to create a single interface for entering all
30 required information for an act of violence or a case of

1 harassment, bullying or cyberbullying.

2 (iii) Automatic, periodic generation of appropriate bullying
3 reports only for the individuals listed below in the following
4 intervals:

5 (A) Each school principal, monthly.

6 (B) Each chief school administrator, quarterly.

7 (C) The Secretary of Education, annually.

8 (D) The General Assembly, annually.

9 (iv) Automatic, periodic generation of appropriate acts-of-
10 violence reports for the individuals listed below in the
11 following intervals:

12 (A) Each school principal, monthly.

13 (B) Each chief school administrator, quarterly.

14 (C) The Secretary of Education, annually.

15 (D) The General Assembly, annually.

16 (v) Automatic e-mailing of bullying reports and acts-of-
17 violence reports to the individuals and in the intervals
18 specified in subparagraphs (iii) and (iv).

19 (vi) Automatic e-mailing of bullying incident deadline
20 reminders to individuals responsible for the investigation.

21 (vii) The online training program and online examination
22 program established under paragraphs (3) and (4).

23 (2) Ensure all of the following:

24 (i) All reports produced for the chief school administrator,
25 the Secretary of Education and the General Assembly do not
26 include the names or other identifying information of the
27 students involved in bullying incidents, the individuals who
28 reported the incidents or the individuals who entered the
29 incident data into the online portal.

30 (ii) No option for the production of custom queries or

1 reports include individually identifiable information.

2 (iii) No option for a user to search for incident data by
3 the name of a party involved in the incident.

4 (iv) No means for a user to access the raw data within the
5 online portal.

6 (v) Automatic deletion of all student-identifiable data no
7 later than thirty (30) days after resolution of the complaint.

8 (3) By November 1, 2017, develop an online training program
9 to fulfill the continuing education requirement on prevention
10 of, and intervention in, harassment, bullying and cyberbullying
11 established under section 1205.2(a.1).

12 (4) By November 1, 2017, develop an online examination
13 program to fulfill the continuing education requirement on
14 prevention of, and intervention in, harassment, bullying and
15 cyberbullying established under section 1205.2(a.1).

16 (5) No later than January 1, 2018, develop and establish a
17 model policy related to bullying. The policy shall contain, at a
18 minimum, the following:

19 (i) A statement prohibiting harassment, bullying and
20 cyberbullying of a student and explaining the scope of the
21 prohibition, including a statement that the policy applies to
22 school-sponsored functions.

23 (ii) The definitions of "bullying," "cyberbullying" and
24 "harassment" under section 1301-A.

25 (iii) Consequences and appropriate remedial action,
26 including positive behavior support as defined in 22 Pa. Code §
27 14.133 (relating to positive behavior support), for a person who
28 commits an act of harassment, bullying or cyberbullying.
29 Disciplinary consequences for harassment, bullying and
30 cyberbullying shall be unique to the individual incident and

1 vary in severity based on the nature of the incident, the
2 developmental age of the perpetrator and the perpetrator's
3 history of problem behaviors.

4 (iv) A procedure for students, school employes and school
5 administrators to report an act of harassment, bullying or
6 cyberbullying. The procedure shall include the following:

7 (A) A person, other than a school employe, may report an act
8 of harassment, bullying or cyberbullying anonymously to a school
9 employe, provided that no formal disciplinary action is taken
10 solely on the basis of an anonymous report.

11 (B) All acts of harassment, bullying or cyberbullying shall
12 be entered into the safe schools online portal established under
13 section 1303.2-A(1) within forty-eight (48) hours of when the
14 school employe witnessed or received reliable information that a
15 student had been subject to harassment, bullying or
16 cyberbullying.

17 (C) No later than forty-eight (48) hours after notice of an
18 alleged incident, the principal or principal's designee shall
19 inform the parents or guardians of all students involved in the
20 alleged incident. Prior to notification of a parent, guardian or
21 student regarding an incident of harassment, bullying or
22 cyberbullying, the principal or principal's designee shall
23 consider the age, health, well-being, safety and privacy of a
24 student involved in the incident. The principal or principal's
25 designee may discuss, as appropriate, the availability of
26 counseling and other intervention or protective services.

27 (v) A procedure for prompt investigation of reports of
28 violations and complaints, which procedure shall, at a minimum,
29 provides that:

30 (A) The investigation shall be conducted by the principal or

1 the principal's designee.

2 (B) The investigation shall be completed as soon as
3 possible, but no later than twenty-one (21) days from the date
4 the report is entered into the safe schools online portal.

5 (C) The results of the investigation shall be reported to
6 the principal, if not directly involved in the investigation,
7 and chief school administrator. The principal or chief school
8 administrator shall decide whether to provide intervention
9 services, establish or enhance training programs to reduce
10 harassment, bullying or cyberbullying and improve school
11 climate, impose discipline, order counseling or take or
12 recommend other appropriate action based on the findings of the
13 investigation.

14 (D) The safe schools online portal shall be updated and
15 finalized with complete and accurate information regarding the
16 incident by the principal or principal's designee in charge of
17 the investigation within forty-eight (48) hours after the
18 investigation has ended.

19 (E) Upon request, students who are parties to the
20 investigation shall receive information about the investigation,
21 subject to Federal and State law and regulation, including the
22 nature of the investigation, whether the school entity found
23 evidence of harassment, bullying or cyberbullying and whether
24 discipline was imposed or services were provided to address the
25 incident of harassment, bullying or cyberbullying. This
26 information shall be provided in writing within five (5) days of
27 the request.

28 (F) A party that is dissatisfied with the outcome of an
29 investigation and subsequent action taken may appeal to the
30 governing body of the school entity within thirty (30) days

1 after the issuance of the written report.

2 (vi) A statement that prohibits retaliation against a person
3 who reports an act of harassment, bullying or cyberbullying,
4 including a witness or a person with reliable information about
5 the act, and the consequence and appropriate remedial action for
6 a person who engages in retaliation.

7 (vii) A statement of the manner in which the policy is to be
8 publicized. The statement shall include:

9 (A) A requirement that a link to the policy shall be
10 prominently posted on the school entity's publicly accessible
11 Internet website and that each school entity shall post the
12 policy at a prominent location within each school building where
13 notices are usually posted or in each classroom.

14 (B) A requirement that the name, school telephone number,
15 school address and school e-mail address of the principal or
16 principal's designee responsible for investigating harassment,
17 bullying and cyberbullying shall be prominently listed on the
18 school entity's publicly accessible Internet website.

19 (C) A requirement that the policy shall be distributed
20 annually to students, parents and guardians. The policy may be
21 included in a student code of conduct and Family Educational
22 Rights and Privacy Act statement under the Family Educational
23 Rights and Privacy Act of 1974 (Public Law 90-247, 20 U.S.C. §
24 1232g).

25 (D) A statement that the school entity shall ensure that the
26 policy and procedures for reporting harassment, bullying and
27 cyberbullying are reviewed with students within ninety (90) days
28 after the adoption of the policy and procedures for reporting
29 harassment, bullying and cyberbullying and at least once every
30 school year.

1 (viii) A statement that the school entity shall review its
2 policy every three (3) years and annually provide the Department
3 of Education with a copy of the policy prohibiting harassment,
4 bullying and cyberbullying if the school entity uses an
5 alternate policy instead of the Department of Education's model
6 policy.

7 (ix) Provisions for the formation of bullying prevention
8 task forces, programs, associated trainings and other
9 initiatives involving school staff, pupils, administrators,
10 volunteers, parents, law enforcement, community members and
11 other stakeholders, as deemed appropriate by the school entity.

12 (x) Annual training for administrators, school employes and
13 volunteers who have significant contact with students in
14 preventing, identifying, responding to and reporting incidents
15 of harassment, bullying or cyberbullying. School entities may
16 incorporate training into existing annual training sessions or
17 seminars related to other school matters.

18 (6) By January 1, 2018, compile and make available to all
19 school entities a list of programs appropriate for the
20 prevention of harassment, bullying or cyberbullying of students,
21 including programs that are available to school entities for
22 free or at reduced costs.

23 (7) Periodically review school entity policies, programs,
24 activities and services to determine whether the school entities
25 are complying with this section and section 1303.1-A.

26 Section 5. Any regulations of the Department of Education
27 that are inconsistent with this act are hereby abrogated to the
28 extent of the inconsistency.

29 Section 6. This act shall take effect in 60 days.