

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 948 Session of
1999

INTRODUCED BY SCHWARTZ, BODACK AND BELAN, MAY 3, 1999

REFERRED TO EDUCATION, MAY 3, 1999

AN ACT

1 Establishing the Violence Prevention Grant Program; providing
2 for the duties of the Department of Education, for
3 confidentiality of student records and for audits of program;
4 and making an appropriation.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the Violence
9 Prevention Grant Program Act.

10 Section 2. Declaration of policy.

11 The General Assembly finds and declares as follows:

12 (1) Government and community officials, as well as
13 medical and educational professionals, refer to the
14 occurrence of violence in society as an epidemic.

15 (2) Since 1988, teenage boys in the United States
16 generally have been more likely to die from gunshot wounds
17 than from all natural causes combined.

18 (3) There have been nearly 3,000,000 incidents of crime

on or near school grounds each year.

(4) Gun-related violence takes the life of an American child at least every three hours and the lives of at least 25 children, an equivalent of the number of children in a classroom, every three days.

(5) Violence is a learned behavior. The basic values, attitudes, behavioral patterns and communication skills acquired in early life are likely to be key in developing predisposition for violent behavior later in life.

(6) Mental health services provided by the community have the ability to assist students who are at risk for violent acts; however, current avenues for seeking such assistance by students and their parents may result in a temporary delay in needed health services for the child.

(7) School districts have the opportunity to establish direct linkages with these community-based mental health services to provide rapid provision of necessary services to students in need and their families.

Section 3. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"At-risk student." A student who exhibits actions that indicate a propensity for committing violent behavior.

"Community mental health services." Services provided by a county mental health agency or contracted for by a county mental health agency.

"Department." The Department of Education of the Commonwealth.

"Violent behavior." Behavior which is hostile or injurious

1 toward another student or school employee or school
2 administrator or destructive toward school or personal property.
3 The term includes, but is not limited to, verbal and written
4 threats of death, personal injury or property damage and the
5 possession of a weapon, as defined in section 1317.2 of the act
6 of March 10, 1949 (P.L.30, No.14), known as the Public School
7 Code of 1949.

8 Section 4. Violence Prevention Grant Program.

9 (a) Establishment.--The Violence Prevention Grant Program is
10 hereby established in the department.

11 (b) Application by school districts.--A school district may
12 apply to the department for a violence prevention grant.

13 (c) Award of grants.--The amount of each violence prevention
14 grant per school district shall not exceed \$100,000 per year.

15 (d) Purpose.--The purpose of violence prevention grants
16 shall be for school districts to create linkages with community-
17 based mental health services to better enable students and their
18 families to promptly access mental health services for students
19 at risk of violent behavior.

20 (e) Eligible uses of grants.--School districts may use
21 violence prevention grants for eligible uses which include, but
22 are not limited to, the following:

23 (1) To facilitate the referral of at-risk students to
24 county mental health systems.

25 (2) To place community mental health counselors in the
26 schools for the provision of onsite mental health services.

27 (3) To establish student assistance programs at the
28 elementary and middle school levels to identify and refer to
29 services those students at risk of violent behavior.

30 (4) To use school facilities as a point of entry for the

1 provision of mental health services for at-risk students and
2 their families.

3 (5) To employ mental health professionals to train
4 school employees and administrators regarding the
5 identification of and response to students who are at risk of
6 violent behavior.

7 Section 5. Confidentiality of student information.

8 Any information obtained by a school district, school
9 employees and school administrators regarding an inquiry,
10 request for information, referral or provision of mental health
11 services for a student shall be kept confidential and may not be
12 released without the consent of the student's parent.

13 Section 6. Annual audits.

14 The department shall conduct annual audits of the program
15 established under this act.

16 Section 7. Regulations.

17 The department, in consultation with the Department of Public
18 Welfare, shall promulgate regulations to carry out the
19 provisions of this act.

20 Section 8. Appropriation.

21 The sum of \$3,000,000, or as much thereof as may be
22 necessary, is hereby appropriated to the Department of Education
23 for the fiscal year July 1, 1999, to June 30, 2000, to carry out
24 the provisions of this act.

25 Section 9. Effective date.

26 This act shall take effect immediately.