

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 569 Session of
2003

INTRODUCED BY GREENLEAF, TOMLINSON, WAGNER, ORIE, KASUNIC,
TARTAGLIONE, COSTA AND BOSCOLA, APRIL 4, 2003

REFERRED TO EDUCATION, APRIL 4, 2003

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," further providing for safe schools.

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

8 Section 1. Section 1301-A of the act of March 10, 1949
9 (P.L.30, No.14), known as the Public School Code of 1949, added
10 June 30, 1995 (P.L.220, No.26), is amended to read:

11 Section 1301-A. Definitions.--As used in this article,
12 "Drug" shall mean controlled substance as defined under the
13 act of April 14, 1972 (P.L.233, No.64), known as "The Controlled
14 Substance, Drug, Device and Cosmetic Act."

15 "Drug paraphernalia" shall mean paraphernalia as defined
16 under the act of April 14, 1972 (P.L.233, No.64), known as "The
17 Controlled Substance, Drug, Device and Cosmetic Act."

18 "Office" shall mean the Office for Safe Schools.

19 "School entity" shall mean any public school district,

1 intermediate unit or area vocational-technical school.

2 "School property" shall mean any public school grounds, any
3 school-sponsored activity or any conveyance providing
4 transportation to a school entity or school-sponsored activity.

5 "Substance abuse prevention" shall include the provisions set
6 forth in section 1547.

7 "Weapon" shall include, but not be limited to, any knife,
8 cutting instrument, cutting tool, nunchaku, firearm, shotgun,
9 rifle and any other tool, instrument or implement capable of
10 inflicting serious bodily injury.

11 Section 2. Section 1302-A of the act, amended or added June
12 30, 1995 (P.L.220, No.26) and June 26, 1999 (P.L.394, No.36), is
13 amended to read:

14 Section 1302-A. Office for Safe Schools.--(a) There is
15 hereby established in the Department of Education an Office for
16 Safe Schools.

17 (b) The office shall have the following powers and duties:

18 (1) To coordinate anti-violence efforts between school,
19 professional, parental, governmental, law enforcement and
20 community organizations and associations.

21 (2) To collect, develop and disseminate information,
22 policies, strategies and other information to assist in the
23 development of programs to [impact] deter and address school
24 violence and substance abuse.

25 (3) To provide direct training to school employes, parents,
26 law enforcement officials and communities on effective measures
27 to combat school violence and substance abuse.

28 (4) To advise school entities and nonpublic schools on the
29 development of policies to be used regarding substance abuse or
30 possession of weapons, drugs or drug paraphernalia by any

1 person, acts of violence and protocols for coordination with and
2 reporting to law enforcement officials and the Department of
3 Education.

4 (5) To develop forms to be used by school entities for
5 reporting incidents involving acts of violence [and] or
6 substance abuse or possession of weapons, drugs or drug
7 paraphernalia on school property.

8 (c) In addition to the powers and duties set forth under
9 subsection (a), the office is authorized to make targeted grants
10 to schools to fund programs which address school violence and
11 substance abuse prevention, including, but not limited to, the
12 following programs:

13 (1) Conflict resolution or dispute management.

14 (2) Peer helpers programs.

15 (3) Risk assessment, safety-related or violence prevention
16 curricula.

17 (4) Classroom management.

18 (5) Student codes of conduct.

19 (6) Training to undertake a districtwide assessment of risk
20 factors that increase the likelihood of problem behaviors among
21 students.

22 (7) Development and implementation of research-based
23 violence prevention programs that address risk factors to reduce
24 incidents of problem behaviors among students.

25 (8) Comprehensive, districtwide school safety and violence
26 prevention plans.

27 (9) Security planning, purchase of security-related
28 technology which may include metal detectors, protective
29 lighting, surveillance equipment, special emergency
30 communications equipment, electronic locksets, deadbolts and

1 theft control devices and training in the use of security-
2 related technology. Security planning and purchase of security-
3 related technology shall be based on safety needs identified by
4 the school entity's board of directors.

5 (10) Institution of student, staff and visitor
6 identification systems.

7 (11) Establishment or enhancement of school security
8 personnel, including school resource officers.

9 (12) Provision of specialized staff and student training
10 programs, including training for Student Assistance Program team
11 members in elementary, middle and high schools in the referral
12 of students at risk of violent behavior to appropriate
13 community-based services, including mental health services.

14 (13) Alternative education programs provided for in Article
15 XIX-C.

16 (14) Counseling services for students enrolled in
17 alternative education programs.

18 (d) Grant applications shall contain information as the
19 office may require. The office shall conduct a thorough annual
20 evaluation of each program for which a grant under this section
21 is made.

22 Section 3. Section 1303-A of the act, amended June 25, 1997
23 (P.L.297, No.30), is amended to read:

24 Section 1303-A. Reporting.--(a) The office shall conduct a
25 one-time survey of all school entities to determine the number
26 of incidents involving acts of violence and substance abuse on
27 school property and all cases involving possession of a weapon,
28 drugs or drug paraphernalia by any person on school property
29 which occurred within the last five (5) years. The survey shall
30 be based on the best available information provided by school

1 entities.

2 (b) All school entities shall report all new incidents
3 involving acts of violence or substance abuse, possession of a
4 weapon or possession, use or sale of [controlled substances as
5 defined in the act of April 14, 1972 (P.L.233, No.64), known as
6 "The Controlled Substance, Drug, Device and Cosmetic Act,"]
7 drugs or drug paraphernalia or possession, use or sale of
8 alcohol or tobacco by any person on school property at least
9 once a year, as provided by the office, on a form to be
10 developed and provided by the office. The form shall include:

11 (1) Age or grade of student.

12 (2) Name and address of school.

13 (3) Circumstances surrounding the incident, including type
14 of weapon, controlled substance, alcohol or tobacco.

15 (4) Sanction imposed by the school.

16 (5) Notification of law enforcement.

17 (6) Remedial programs involved.

18 (7) Parental involvement required.

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

20 If a person other than a student is involved, the report shall
21 state the relationship of the individual involved to the school
22 entity.

23 (c) All school entities shall develop a memorandum of
24 understanding with local law enforcement which sets forth
25 procedures to be followed when an incident involving an act of
26 violence or substance abuse or possession of a weapon, drugs or
27 drug paraphernalia by any person occurs on school property. Law
28 enforcement protocols shall be developed in cooperation with
29 local law enforcement and the Pennsylvania State Police.

30 Section 4. Section 1307-A of the act, added June 30, 1995

1 (P.L.220, No.26), is amended to read:

2 Section 1307-A. Maintenance of Records.--All school entities
3 and private schools within this Commonwealth shall maintain
4 updated records of all incidents of violence or substance abuse,
5 incidents involving possession of a weapon, drugs or drug
6 paraphernalia and convictions or adjudications of delinquency
7 for acts committed on school property by students enrolled
8 therein on both a district-wide and school-by-school basis.

9 Records maintained under this section shall be contained in a
10 format developed by the Pennsylvania State Police in cooperation
11 with the office within ninety (90) days of the effective date of
12 this section. A statistical summary of these records shall be
13 made accessible to the public for examination by the public
14 during regular business hours.

15 Section 5. This act shall take effect in 60 days.