

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 56 Session of 2009

INTRODUCED BY PICCOLA, BROWNE, RAFFERTY, TOMLINSON, ORIE, YAW, O'PAKE, WOZNIAK AND WONDERLING, JANUARY 20, 2009

SENATOR PICCOLA, EDUCATION, AS AMENDED, MARCH 24, 2009

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, in provisions
6 relating to safe schools, for definitions, for the Office for
7 Safe Schools and for reporting by school entities.

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

10 Section 1. Section 1301-A of the act of March 10, 1949 (P.L.
11 30, No.14), known as the Public School Code of 1949, added June
12 30, 1995 (P.L.220, No.26), is amended to read:

13 Section 1301-A. Definitions.--As used in this article,
14 "Chief school administrator" shall mean the superintendent of
15 a public school district, superintendent of an area vocational-
16 technical school, executive director of an intermediate unit or
17 chief executive officer of a charter school.

18 "COMMISSION" SHALL MEAN THE PENNSYLVANIA COMMISSION ON CRIME
19 AND DELINQUENCY.

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



1 "School entity" shall mean any public school district,  
2 intermediate unit [or], area vocational-technical school or  
3 charter school.

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

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(b)~~1302-A of the act, AMENDED OR  
12 added June 30, 1995 (P.L.220, No.26) AND JULY 9, 2008 (P.L.846,  
13 NO.61), is amended to read:

14 Section 1302-A. Office for Safe Schools.--\*\*\*[(A) THERE  
15 IS HEREBY ESTABLISHED IN THE DEPARTMENT OF EDUCATION AN OFFICE  
16 FOR SAFE SCHOOLS.](A.1) THE DEPARTMENT OF EDUCATION AND THE  
17 COMMISSION SHALL JOINTLY ESTABLISH AN OFFICE FOR SAFE SCHOOLS  
18 WITHIN ONE HUNDRED TWENTY (120) DAYS OF THE EFFECTIVE DATE OF  
19 THIS SUBSECTION.

20 (b) The [office shall have the following powers and  
21 duties]DEPARTMENT OF EDUCATION AND THE COMMISSION SHALL HAVE THE  
22 POWER AND DUTY TO IMPLEMENT THE FOLLOWING:

23 (1) To coordinate antiviolenence efforts between school,  
24 professional, parental, governmental, law enforcement and  
25 community organizations and associations.

26 (2) To collect, develop and disseminate information,  
27 policies, strategies and other information to assist in the  
28 development of programs to impact school violence.

29 (2.1) TO DIRECT ALL SCHOOL ENTITIES TO SUBMIT SEMIANNUAL  
30 SCHOOL VIOLENCE STATISTICS AND REPORTS TO THE OFFICE NO LATER

1 THAN FORTY-FIVE (45) DAYS AFTER THE LAST DAY OF EACH SIX-MONTH  
2 PERIOD. THIS CLAUSE SHALL APPLY BEGINNING JULY 1, 2009. THE  
3 INITIAL REPORT FOLLOWING THE EFFECTIVE DATE OF THIS CLAUSE SHALL  
4 BE DUE NO LATER THAN FORTY-FIVE (45) DAYS AFTER JANUARY 1, 2010.  
5 THEREAFTER REPORTS SHALL BE DUE FORTY-FIVE (45) DAYS AFTER EACH  
6 SIX-MONTH PERIOD HAS ELAPSED.

7 (3) To provide direct training to school employes, parents,  
8 law enforcement officials and communities on effective measures  
9 to PREVENT AND combat school violence. ←

10 (4) To advise school entities and nonpublic schools on the  
11 development of policies to be used regarding possession of  
12 weapons by any person, acts of violence and protocols for  
13 coordination with and reporting to law enforcement officials, ←  
14 THE COMMISSION and the Department of Education.

15 (4.1) TO PROVIDE TECHNICAL ASSISTANCE TO SCHOOLS WITH ←  
16 PERSISTENTLY DANGEROUS INCIDENTS AS DEFINED IN 22 PA. CODE §  
17 403.2 (RELATING TO DEFINITIONS) AND TO VERIFY THE EXISTENCE OF  
18 AND OVERSEE THE IMPLEMENTATION OF CORRECTIVE ACTION PLANS TO  
19 REDUCE INCIDENTS OF VIOLENCE AS REQUIRED IN THE NO CHILD LEFT  
20 BEHIND ACT OF 2001 (PUBLIC LAW 107-110, 115 STAT. 1425).

21 (5) To develop forms AND A MODEL MEMORANDUM OF UNDERSTANDING ←  
22 to be used by school entities and police departments for  
23 reporting incidents involving acts of violence and possession of  
24 weapons on school property.

25 ~~(6) To convene an advisory committee which shall include a~~ ←  
26 ~~police chief, school superintendent, school principal, district~~  
27 ~~attorney, solicitor of a school district and an in-school~~  
28 ~~probation officer to develop the forms required under clause~~  
29 ~~(5). The advisory committee shall be convened no later than~~  
30 ~~sixty (60) days after the effective date of this clause.~~

1       \* \* \*

2       (6) TO CONVENE A STATEWIDE ADVISORY COMMITTEE WHICH SHALL  
3 DEVELOP THE FORMS AND MODEL MEMORANDUM OF UNDERSTANDING REQUIRED  
4 UNDER CLAUSE (5) AND TO MAKE RECOMMENDATIONS TO THE OFFICE ON  
5 TRAINING PROCEDURES AND PROGRAMS AS REQUIRED UNDER CLAUSE (3).  
6 THE COMMITTEE SHALL INCLUDE A POLICE CHIEF, SCHOOL  
7 SUPERINTENDENT, SCHOOL PRINCIPAL, DISTRICT ATTORNEY, SOLICITOR  
8 OF A SCHOOL DISTRICT, SPECIAL EDUCATION SUPERVISOR, SPECIAL  
9 EDUCATION ADVOCATE AND IN-SCHOOL PROBATION OFFICER AND ONE  
10 DESIGNEE FROM THE DEPARTMENT OF EDUCATION, THE COMMISSION, THE  
11 MUNICIPAL POLICE OFFICERS' EDUCATION AND TRAINING COMMISSION,  
12 THE JUVENILE COURT JUDGES' COMMISSION AND THE PENNSYLVANIA STATE  
13 POLICE. MEMBERS OF THE COMMITTEE SHALL BE SELECTED TO BE  
14 REPRESENTATIVE OF THE RURAL, SUBURBAN AND URBAN SCHOOL ENTITIES  
15 OF THIS COMMONWEALTH. THE ADVISORY COMMITTEE SHALL BE CONVENED  
16 NO LATER THAN SIXTY (60) DAYS AFTER THE EFFECTIVE DATE OF THIS  
17 CLAUSE AND SHALL MEET REGULARLY TO FULFILL THE REQUIREMENTS OF  
18 THIS CLAUSE.

19       (7) TO VERIFY THAT EACH SCHOOL ENTITY HAS A BIENNUEALLY  
20 UPDATED AND REEXECUTED A MEMORANDUM OF UNDERSTANDING WITH LOCAL  
21 LAW ENFORCEMENT AND HAS FILED SUCH MEMORANDUM WITH THE OFFICE ON  
22 A BIENNIAL BASIS.

23       (8) TO PUBLISH AND POST ON THE DEPARTMENT OF EDUCATION'S  
24 INTERNET WEBSITE A SCHOOL SAFETY ANNUAL REPORT NO LATER THAN  
25 NOVEMBER 1 OF EACH CALENDAR YEAR OUTLINING ALL INCIDENTS  
26 REQUIRED TO BE REPORTED UNDER SECTION 1303-A AND THE ACTION  
27 TAKEN BY THE OFFICE TO IMPLEMENT ITS MANDATES UNDER THIS  
28 SECTION.

29       (B.1) THE COMMISSION SHALL VERIFY AND ENSURE THE TIMELINESS,  
30 ACCURACY, COMPLETENESS AND CONSISTENCY OF THE DATA SUBMITTED

1 SEMIANNUALLY BY SCHOOL ENTITIES AND THE SAFE SCHOOLS ADVOCATE IN  
2 SCHOOL DISTRICTS OF THE FIRST CLASS. THE COMMISSION SHALL ALSO  
3 PROCESS, TABULATE, ANALYZE AND INTERPRET THE DATA ON A  
4 SEMIANNUAL BASIS TO ASSIST SCHOOL ADMINISTRATORS AND LAW  
5 ENFORCEMENT OFFICIALS IN THEIR DUTIES UNDER THIS ARTICLE.

6 (C) IN ADDITION TO THE POWERS AND DUTIES SET FORTH UNDER  
7 SUBSECTION (A), THE [OFFICE] COMMISSION IS AUTHORIZED TO MAKE  
8 TARGETED GRANTS TO SCHOOLS TO FUND PROGRAMS WHICH ADDRESS SCHOOL  
9 VIOLENCE[, INCLUDING]. THE COMMISSION SHALL AWARD AT A MINIMUM  
10 FIFTY PER CENTUM (50%) OF THE TARGETED GRANTS TO THE HIGHEST  
11 RISK SCHOOLS BASED UPON INCIDENTS OF VIOLENCE AND NUMBER OF  
12 ARRESTS AND THE REMAINDER TO SCHOOL ENTITIES THAT CAN  
13 DEMONSTRATE THE NEED FOR GRANTS, WHICH SHALL INCLUDE, BUT NOT BE  
14 LIMITED TO, THE FOLLOWING PROGRAMS:

15 (1) CONFLICT RESOLUTION OR DISPUTE MANAGEMENT, INCLUDING  
16 RESTORATIVE JUSTICE STRATEGIES.

17 (2) PEER HELPERS PROGRAMS.

18 (3) RISK ASSESSMENT, SAFETY-RELATED [OR], VIOLENCE  
19 PREVENTION CURRICULA, INCLUDING, BUT NOT LIMITED TO, DATING  
20 VIOLENCE CURRICULA AND RESTORATIVE JUSTICE STRATEGIES.

21 (4) CLASSROOM MANAGEMENT.

22 (5) STUDENT CODES OF CONDUCT.

23 (6) TRAINING TO UNDERTAKE A DISTRICTWIDE ASSESSMENT OF RISK  
24 FACTORS THAT INCREASE THE LIKELIHOOD OF PROBLEM BEHAVIORS AMONG  
25 STUDENTS.

26 (7) DEVELOPMENT AND IMPLEMENTATION OF RESEARCH-BASED  
27 VIOLENCE PREVENTION PROGRAMS THAT ADDRESS RISK FACTORS TO REDUCE  
28 INCIDENTS OF PROBLEM BEHAVIORS AMONG STUDENTS INCLUDING, BUT NOT  
29 LIMITED TO, BULLYING.

30 (8) COMPREHENSIVE, DISTRICTWIDE SCHOOL SAFETY AND VIOLENCE

1 PREVENTION PLANS.

2 (9) SECURITY PLANNING, PURCHASE OF SECURITY-RELATED  
3 TECHNOLOGY WHICH MAY INCLUDE METAL DETECTORS, PROTECTIVE  
4 LIGHTING, SURVEILLANCE EQUIPMENT, SPECIAL EMERGENCY  
5 COMMUNICATIONS EQUIPMENT, ELECTRONIC LOCKSETS, DEADBOLTS AND  
6 THEFT CONTROL DEVICES AND TRAINING IN THE USE OF SECURITY-  
7 RELATED TECHNOLOGY. SECURITY PLANNING AND PURCHASE OF SECURITY-  
8 RELATED TECHNOLOGY SHALL BE BASED ON SAFETY NEEDS IDENTIFIED BY  
9 THE SCHOOL ENTITY'S BOARD OF DIRECTORS.

10 (10) INSTITUTION OF STUDENT, STAFF AND VISITOR  
11 IDENTIFICATION SYSTEMS, INCLUDING CRIMINAL BACKGROUND CHECK  
12 SOFTWARE.

13 (11) ESTABLISHMENT OR ENHANCEMENT OF SCHOOL SECURITY  
14 PERSONNEL, INCLUDING SCHOOL RESOURCE OFFICERS.

15 (12) PROVISION OF SPECIALIZED STAFF AND STUDENT TRAINING  
16 PROGRAMS, INCLUDING TRAINING FOR STUDENT ASSISTANCE PROGRAM TEAM  
17 MEMBERS IN ELEMENTARY, MIDDLE AND HIGH SCHOOLS IN THE REFERRAL  
18 OF STUDENTS AT RISK OF VIOLENT BEHAVIOR TO APPROPRIATE  
19 COMMUNITY-BASED SERVICES, INCLUDING MENTAL HEALTH SERVICES.

20 (13) ALTERNATIVE EDUCATION PROGRAMS PROVIDED FOR IN ARTICLE  
21 XIX-C.

22 (14) COUNSELING SERVICES FOR STUDENTS ENROLLED IN  
23 ALTERNATIVE EDUCATION PROGRAMS.

24 (15) AN INTERNET WEB-BASED SYSTEM FOR THE MANAGEMENT OF  
25 STUDENT DISCIPLINE, INCLUDING MISCONDUCT AND CRIMINAL OFFENSES.

26 (16) STAFF TRAINING PROGRAMS IN THE USE OF POSITIVE BEHAVIOR  
27 SUPPORTS, DE-ESCALATION TECHNIQUES AND APPROPRIATE RESPONSES TO  
28 STUDENT BEHAVIOR THAT MAY REQUIRE IMMEDIATE INTERVENTION.

29 (D) GRANT APPLICATIONS SHALL STATE THE PURPOSE FOR WHICH THE  
30 TARGETED GRANT SHALL BE UTILIZED AND CONTAIN ADDITIONAL

1 INFORMATION AS [THE OFFICE MAY REQUIRE. THE OFFICE SHALL CONDUCT  
2 A THOROUGH ANNUAL EVALUATION OF EACH PROGRAM FOR WHICH A GRANT  
3 UNDER THIS SECTION IS MADE] MAY BE REQUIRED. THE COMMISSION  
4 SHALL CONDUCT THOROUGH ANNUAL EVALUATIONS AND AUDITS OF GRANTS  
5 MADE UNDER THIS SECTION AND SHALL SEEK REPAYMENT OF FUNDS IF IT  
6 DETERMINES THAT FUNDS WERE NOT UTILIZED FOR THE ORIGINAL STATED  
7 PURPOSE.

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

10 Section 1303-A. Reporting.--(a) The office shall conduct a  
11 one-time survey of all school entities to determine the number  
12 of incidents involving acts of violence on school property and  
13 all cases involving possession of a weapon by any person on  
14 school property which occurred within the last five (5) years.  
15 The survey shall be based on the best available information  
16 provided by school entities.

17 (b) [All school entities] Each chief school administrator  
18 shall report all new [incidents involving acts of violence, ←  
19 possession of a weapon or possession, use or sale of controlled  
20 substances as defined in the act of April 14, 1972 (P.L.233, No.  
21 64), known as "The Controlled Substance, Drug, Device and  
22 Cosmetic Act," or possession, use or sale of alcohol or  
23 tobacco] CRIMINAL OFFENSES AS PROVIDED UNDER SUBSECTION (B) (4.1) ←  
24 by any person on school property [at least once a year, as ←  
25 provided by the office,]. REPORTING UNDER CLAUSE (4.2) SHALL BE ←  
26 AT THE DISCRETION OF THE CHIEF SCHOOL ADMINISTRATOR. REPORTS  
27 SHALL BE MADE on a form to be developed and provided by the  
28 office. The form shall include:

- 29 (1) Age or grade of student.  
30 (2) Name and address of school.

1 (3) Circumstances surrounding the incident, including, BUT ←  
2 NOT LIMITED TO, type of weapon, controlled substance, alcohol or  
3 tobacco, THE DATE, TIME AND LOCATION OF THE INCIDENT, IF A ←  
4 PERSON OTHER THAN A STUDENT IS INVOLVED IN THE INCIDENT AND ANY  
5 RELATIONSHIP TO THE SCHOOL ENTITY.

6 (3.1) RACE OF STUDENT. ←

7 (3.2) WHETHER THE STUDENT HAS AN INDIVIDUALIZED EDUCATION  
8 PLAN UNDER THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT  
9 (PUBLIC LAW 91-230, 20 U.S.C. § 1400 ET SEQ.), AND IF SO THE  
10 TYPE OF DISABILITY.

11 (4) Sanction imposed by the school.

12 (4.1) A list of criminal offenses which shall, at a minimum,  
13 include:

14 (i) The following offenses under 18 Pa.C.S. (relating to  
15 crimes and offenses):

16 Section 908 (relating to prohibited offensive weapons).

17 Section 912 (relating to possession of weapon on school  
18 property).

19 Chapter 25 (relating to criminal homicide).

20 Section 2701 (relating to simple assault).

21 Section 2702 (relating to aggravated assault).

22 Section 2705 (relating to recklessly endangering another ←  
23 person).

24 Section 2706 (relating to terroristic threats).

25 Section 2709 (relating to harassment). ←

26 Section 2709.1 (relating to stalking).

27 Section 2901 (relating to kidnapping).

28 Section 2902 (relating to unlawful restraint).

29 Section 3121 (relating to rape).

30 Section 3122.1 (relating to statutory sexual assault).

1 Section 3123 (relating to involuntary deviate sexual  
2 intercourse).

3 Section 3124.1 (relating to sexual assault).

4 SECTION 3124.2 (RELATING TO INSTITUTIONAL SEXUAL ASSAULT). ←

5 Section 3125 (relating to aggravated indecent assault).

6 Section 3126 (relating to indecent assault).

7 Section 3127 (relating to indecent exposure).

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

9 Section 3307 (relating to institutional vandalism), WHEN THE ←  
10 PENALTY IS A FELONY OF THE THIRD DEGREE.

11 Section 3502 (relating to burglary).

12 Section 3503(A) AND (B)(1)(V) (relating to criminal ←  
13 trespass).

14 Section 5501 (relating to riot).

15 Section 5502 (relating to failure of disorderly persons to ←  
16 disperse upon official order).

17 Section 5503 (relating to disorderly conduct).

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

19 Section 6305 (relating to sale of tobacco). ←

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

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

24 (ii) An offense under THE POSSESSION, USE OR SALE OF A ←  
25 CONTROLLED SUBSTANCE OR DRUG PARAPHERNALIA AS DEFINED IN "The  
26 Controlled Substance, Drug, Device and Cosmetic Act."

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

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



1 (4.2) THE FOLLOWING OFFENSES UNDER 18 PA.C.S., AND ANY  
 2 ATTEMPT, SOLICITATION OR CONSPIRACY TO COMMIT ANY OF THESE  
 3 OFFENSES:

4 SECTION 2705 (RELATING TO RECKLESSLY ENDANGERING ANOTHER  
 5 PERSON).

6 SECTION 2709 (RELATING TO HARASSMENT).

7 SECTION 3307 (RELATING TO INSTITUTIONAL VANDALISM), WHEN THE  
 8 PENALTY IS A MISDEMEANOR OF THE SECOND DEGREE.

9 SECTION 3503(B)(1)(I), (II), (III) AND (IV), (B.1) AND (B.2)  
 10 (RELATING TO CRIMINAL TRESPASS).

11 CHAPTER 39 (RELATING TO THEFT AND RELATED OFFENSES).

12 SECTION 5502 (RELATING TO FAILURE OF DISORDERLY PERSONS TO  
 13 DISPERSE UPON OFFICIAL ORDER).

14 SECTION 5503 (RELATING TO DISORDERLY CONDUCT).

15 SECTION 6305 (RELATING TO SALE OF TOBACCO).

16 SECTION 6306.1 (RELATING TO USE OF TOBACCO IN SCHOOLS  
 17 PROHIBITED).

18 SECTION 6308 (RELATING TO PURCHASE, CONSUMPTION, POSSESSION  
 19 OR TRANSPORTATION OF LIQUOR OR MALT OR BREWED BEVERAGES).

20 (5) Notification of law enforcement.

21 (6) Remedial programs involved.

22 (7) Parental involvement required.

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

24 [If a person other than a student is involved, the report  
 25 shall state the relationship of the individual involved to the  
 26 school entity.]



27 (b.1) Prior to submitting the SEMIANNUAL report required  
 28 under subsection (b), each chief school administrator and each  
 29 police department having jurisdiction over school property of  
 30 the school entity shall do all of the following:



1 (1) No later than ~~forty five (45)~~THIRTY (30) days prior to ←  
2 the deadline for submitting the SEMIANNUAL report required under ←  
3 subsection (b), the chief school administrator shall submit the  
4 report to the police department with jurisdiction over the  
5 relevant school property. The police department shall review the  
6 report and compare the data regarding criminal offenses and  
7 notification of law enforcement to determine its accuracy.

8 (2) No later than fifteen (15) days prior to the deadline  
9 for submitting the SEMIANNUAL report required under subsection ←  
10 (b), the police department shall notify the chief school  
11 administrator, in writing, whether the report accurately  
12 reflects police incident data. Where the police department  
13 determines that the report accurately reflects police incident  
14 data, the chief of police shall sign the report. Where the  
15 police department determines that the report does not accurately  
16 reflect police incident data, the police department shall  
17 indicate any discrepancies between the report and police  
18 incident data.

19 (3) Prior to submitting the SEMIANNUAL report required under ←  
20 subsection (b), the chief school administrator and the police  
21 department shall attempt to resolve any discrepancies between ←  
22 the report and police incident data. Where a discrepancy remains  
23 unresolved, the police department shall notify the chief school  
24 administrator and the office in writing.

25 (4) Where a police department fails to take action as  
26 required under clause (2) or (3), the chief school administrator  
27 shall submit the SEMIANNUAL report required under subsection (b) ←  
28 and indicate that the police department failed to take action as  
29 required under clause (2) or (3).

30 (c) [All school entities shall develop a memorandum of

1 understanding with local law enforcement which sets forth  
2 procedures to be followed when an incident involving an act of  
3 violence or possession of a weapon by any person occurs on  
4 school property. Law enforcement protocols shall be developed in  
5 cooperation with local law enforcement and the Pennsylvania  
6 State Police.] Each chief school administrator shall enter into  
7 a memorandum of understanding with police departments having  
8 jurisdiction over school property of the school entity. Such ←  
9 memorandum of understanding shall require immediate notification  
10 of the police department when an incident involving an act of  
11 violence, possession of a weapon or an offense listed under  
12 subsection (b) (4.1) occurs on school property. Each chief school  
13 administrator shall submit a copy of the memorandum of  
14 understanding to the office by June 30, 2009, and June 30 of ←  
15 each year thereafter BIENNIALY UPDATE AND RE-EXECUTE A ←  
16 MEMORANDUM OF UNDERSTANDING WITH LOCAL LAW ENFORCEMENT AND FILE  
17 SUCH MEMORANDUM WITH THE OFFICE ON A BIENNIAL BASIS. The  
18 memorandum of understanding shall be signed by the chief school  
19 administrator, THE CHIEF OF POLICE OF THE POLICE DEPARTMENT WITH ←  
20 JURISDICTION OVER THE RELEVANT SCHOOL PROPERTY and principals of  
21 each school building of the school entity. The memorandum of  
22 understanding shall include:  
23 (1) Protocol for school notification of the police ←  
24 department regarding an incident involving an act of violence,  
25 possession of a weapon or an offense listed under subsection (b)  
26 (4.1) that occurs on school property.  
27 (2) Emergency and nonemergency response by the police  
28 department.  
29 (3) The procedure for police department review of the report  
30 required under subsection (b) prior to filing with the office.

1 ~~(4) A procedure for the resolution of school violence data~~  
2 ~~discrepancies prior to filing the report required under~~  
3 ~~subsection (b) with the office.~~

4 ~~(5) Additional matters pertaining to crime prevention agreed~~  
5 ~~to between the chief school administrator and the police~~  
6 ~~department.~~

7 (1) PROTOCOL FOR THE IMMEDIATE NOTIFICATION OF THE POLICE ←  
8 DEPARTMENT WHEN AN OFFENSE LISTED UNDER SUBSECTION (B) (4.1) (I),  
9 (II), (III) OR (IV) OCCURS ON SCHOOL PROPERTY.

10 (2) PROTOCOL FOR NOTIFICATION OF THE POLICE DEPARTMENT AT  
11 THE DISCRETION OF THE CHIEF SCHOOL ADMINISTRATOR REGARDING AN  
12 OFFENSE LISTED UNDER SUBSECTION (B) (4.2) OR ANY OTHER OFFENSE  
13 THAT OCCURS ON SCHOOL PROPERTY.

14 (3) EMERGENCY AND NONEMERGENCY RESPONSE BY THE POLICE  
15 DEPARTMENT. EACH SCHOOL DISTRICT SHALL SUPPLY THE POLICE  
16 DEPARTMENT WITH A COPY OF THE COMPREHENSIVE DISASTER RESPONSE  
17 AND EMERGENCY PREPAREDNESS PLAN AS REQUIRED BY 35 PA.C.S. §  
18 7701(G) (RELATING TO DUTIES CONCERNING DISASTER PREVENTION).

19 (4) PROCEDURES FOR RESPONSE TO STUDENT BEHAVIOR AS REQUIRED  
20 BY 22 PA. CODE § 14.104 (RELATING TO SPECIAL EDUCATION PLANS).

21 (5) THE PROCEDURE FOR POLICE DEPARTMENT REVIEW OF THE  
22 SEMIANNUAL REPORT REQUIRED UNDER SUBSECTION (B) PRIOR TO FILING  
23 WITH THE OFFICE.

24 (6) A PROCEDURE FOR THE RESOLUTION OF SCHOOL VIOLENCE DATA  
25 DISCREPANCIES PRIOR TO FILING THE SEMIANNUAL REPORT REQUIRED  
26 UNDER SUBSECTION (B) WITH THE OFFICE.

27 (7) ADDITIONAL MATTERS PERTAINING TO CRIME PREVENTION AGREED  
28 TO BETWEEN THE CHIEF SCHOOL ADMINISTRATOR AND THE POLICE  
29 DEPARTMENT.

30 (D) PURSUANT TO SECTION 615 OF THE INDIVIDUALS WITH

1 DISABILITIES EDUCATION ACT (PUBLIC LAW 91-230, 20 U.S.C. §  
2 1415(K)(6)), NOTHING IN THIS SECTION SHALL BE CONSTRUED TO  
3 PROHIBIT A SCHOOL ENTITY FROM REPORTING A CRIME COMMITTED BY A  
4 CHILD WITH A DISABILITY TO APPROPRIATE AUTHORITIES OR TO PREVENT  
5 STATE LAW ENFORCEMENT AND JUDICIAL AUTHORITIES FROM EXERCISING  
6 THEIR RESPONSIBILITIES WITH REGARD TO THE APPLICATION OF FEDERAL  
7 AND STATE LAW TO CRIMES COMMITTED BY A CHILD WITH A DISABILITY.

8 ~~(d)~~(E) (1) Notwithstanding any provision of law to the ←  
9 contrary, the Department of Education may initiate disciplinary  
10 action before the Professional Standards and Practices  
11 Commission pursuant to the act of December 12, 1973 (P.L.397,  
12 No.141), known as the "Professional Educator Discipline Act,"  
13 against a chief school administrator or principal of a school  
14 entity who intentionally fails to submit the SEMIANNUAL report ←  
15 as required under subsection (b) or enter into the memorandum of  
16 understanding, report an incident involving an act of violence,  
17 possession of a weapon or an offense listed under subsection (b)  
18 (4.1) that occurs on school property to a police department or  
19 submit a copy of the memorandum of understanding to the office  
20 as required under subsection (c) or who intentionally falsifies  
21 a report submitted as required under this section.

22 (2) In addition to any other disciplinary actions set forth  
23 in the "Professional Educator Discipline Act," a chief school  
24 administrator or principal of a school entity who intentionally  
25 fails to submit the SEMIANNUAL report as required under ←  
26 subsection (b) or enter into the memorandum of understanding,  
27 report an incident involving an act of violence, possession of a  
28 weapon or an offense cited under subsection (b)(4.1) that occurs  
29 on school property to a police department or submit a copy of  
30 the memorandum of understanding to the office as required under

1 subsection (c) or who intentionally falsifies a report submitted  
2 as required under this section shall be subject to prosecution  
3 for violation of 18 Pa.C.S. § 4904 (relating to unsworn  
4 falsification to authorities), where appropriate, and to the  
5 following civil penalties to be imposed by the Professional  
6 Standards and Practices Commission for violations of this  
7 article:

8 ~~(i) for a first violation \_\_\_\_\_ \$2,500;~~ ←

9 ~~(ii) for a second violation \_\_\_\_\_ \$3,500; or~~

10 ~~(iii) for a third or subsequent~~

11 ~~violation \_\_\_\_\_ \$5,000.~~ ←

12 (I) FOR A FIRST VIOLATION, \$2,500;

13 (II) FOR A SECOND VIOLATION, \$3,500; OR

14 (III) FOR A THIRD OR SUBSEQUENT VIOLATION, \$5,000.

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

17 Section 4. This act shall take effect ~~in 60 days~~AS FOLLOWS: ←

18 (1) THE ADDITION OF SECTION 1303-A(B) (2.1) OF THE ACT  
19 SHALL TAKE EFFECT IMMEDIATELY.

20 (2) THIS SECTION SHALL TAKE EFFECT IMMEDIATELY.

21 (3) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT IN 90  
22 DAYS.