

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 27 Session of 2023

INTRODUCED BY STRUZZI, SMITH, ARMANINI, FLICK, KINKEAD, JAMES AND SCHLEGEL, MARCH 7, 2023

AS AMENDED ON SECOND CONSIDERATION, IN SENATE, SEPTEMBER 19, 2023

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 preliminary provisions, further
6 providing for special provisions applicable to limited school
7 years; and, IN INTERMEDIATE UNITS, FURTHER PROVIDING FOR <--
8 SCHOOL SAFETY AND SECURITY ENHANCEMENTS; in certification of
9 teachers, further providing for substitute teaching permit
10 for prospective teachers, for locally issued temporary
11 certification for substitute teachers and for permit for <--
12 classroom monitors; IN SAFE SCHOOLS, FURTHER PROVIDING FOR
13 DEFINITIONS AND FOR OFFICE FOR SAFE SCHOOLS, REPEALING
14 PROVISIONS RELATING TO REGULATIONS AND TO REPORTING, FURTHER
15 PROVIDING FOR POLICY RELATING TO BULLYING AND FOR MAINTENANCE
16 OF RECORDS, REPEALING PROVISIONS RELATING TO SAFE SCHOOLS
17 ADVOCATE IN SCHOOL DISTRICTS OF THE FIRST CLASS, TO STANDING,
18 TO ENFORCEMENT AND TO CONSTRUCTION OF ARTICLE AND OTHER LAWS;
19 IN SCHOOL SAFETY AND SECURITY, FURTHER PROVIDING FOR
20 DEFINITIONS AND FOR SCHOOL SAFETY AND SECURITY COMMITTEE,
21 PROVIDING FOR DUTIES OF COMMITTEE, FURTHER PROVIDING FOR
22 SCHOOL SAFETY AND SECURITY GRANT PROGRAM, PROVIDING FOR
23 TARGETED SCHOOL SAFETY GRANTS FOR NONPUBLIC SCHOOLS PROGRAM,
24 FOR STANDARDIZED PROTOCOLS, FOR COUNTY SAFE SCHOOLS'
25 COLLABORATIVE AND FOR SCHOOL MENTAL HEALTH GRANTS FOR 2023-
26 2024 SCHOOL YEAR, FURTHER PROVIDING FOR SCHOOL SAFETY AND
27 SECURITY COORDINATOR TRAINING AND PROVIDING FOR REPORTING AND
28 MEMORANDUM OF UNDERSTANDING, FOR SAFE SCHOOLS ADVOCATE IN
29 SCHOOL DISTRICTS OF THE FIRST CLASS AND FOR ENFORCEMENT; IN
30 SCHOOL SECURITY, FURTHER PROVIDING FOR DEFINITIONS, FOR
31 SCHOOL POLICE OFFICERS, FOR ANNUAL REPORT AND FOR SCHOOL
32 SECURITY GUARDS; AND MAKING AN EDITORIAL CHANGE.

1 The General Assembly of the Commonwealth of Pennsylvania  
2 hereby enacts as follows:

3 Section 1. Section 129 of the act of March 10, 1949 (P.L.30,  
4 No.14), known as the Public School Code of 1949, is amended to  
5 read:

6 Section 129. Special Provisions Applicable to Limited School  
7 Years.--Notwithstanding any provision of law or regulation to  
8 the contrary, [for the 2021-2022 and 2022-2023 school years,]  
9 if, in the judgment of a school employer, an emergency or  
10 shortage of day-to-day substitute teachers exists under 24  
11 Pa.C.S. § 8346(b) (relating to termination of annuities), the  
12 school employer may hire an annuitant, as defined in 24 Pa.C.S.  
13 § 8102 (relating to definitions), regardless of whether the  
14 school employer first attempts to secure nonretired personnel,  
15 except that the school employer shall comply with section  
16 1125.1(d) (2) by first offering the work to any certified  
17 professional employe on a recall list. The provisions of 24  
18 Pa.C.S. § 8346(b) regarding the continuation of annuity or  
19 distributions to an annuitant who returns to school service  
20 during an emergency shall apply to annuitants hired under this  
21 section. Nothing under this section shall supersede or preempt a  
22 provision of an existing collective bargaining agreement between  
23 a school employer and an exclusive representative of the  
24 employes under the act of July 23, 1970 (P.L.563, No.195), known  
25 as the "Public Employe Relations Act."

26 SECTION 2. THE DEFINITION OF "SCHOOL SAFETY AND SECURITY  
27 ENHANCEMENTS" IN SECTION 923.3-A(B) AND SUBSECTION (C) OF THE  
28 ACT ARE AMENDED TO READ:

29 SECTION 923.3-A. SCHOOL SAFETY AND SECURITY ENHANCEMENTS.-\*

30 \* \*

1 (B) DEFINITIONS. AS USED IN THIS SECTION:

2 \* \* \*

3 "SCHOOL SAFETY AND SECURITY ENHANCEMENTS" MEANS PROGRAMS  
4 WHICH ARE DESIGNED TO ADDRESS SCHOOL SAFETY AND SECURITY AND  
5 LISTED IN SECTION [1302-A(C)] 1306.1-B(J), WHICH ARE SECULAR AND  
6 NONIDEOLOGICAL IN NATURE.

7 (C) PROGRAM OF SCHOOL SAFETY AND SECURITY ENHANCEMENTS. A  
8 PROGRAM OF SCHOOL SECURITY ENHANCEMENTS SHALL BE PROVIDED BY AN  
9 INTERMEDIATE UNIT IN WHICH A NONPUBLIC SCHOOL IS LOCATED, IN  
10 ACCORDANCE WITH STANDARDS DEVELOPED BY THE [SECRETARY OF  
11 EDUCATION IN CONSULTATION WITH THE OFFICE OF SAFE SCHOOLS AND  
12 THE PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY.] SCHOOL  
13 SAFETY AND SECURITY COMMITTEE ESTABLISHED UNDER SECTION 1302-B  
14 IN CONSULTATION WITH THE DEPARTMENT OF EDUCATION. THROUGH THE  
15 PROGRAM, AN INTERMEDIATE UNIT SHALL MAKE APPLICATION FOR SCHOOL  
16 SAFETY AND SECURITY ENHANCEMENTS UPON THE REQUEST OF A NONPUBLIC  
17 SCHOOL OR COMBINATION OF NONPUBLIC SCHOOLS LOCATED WITHIN THE  
18 INTERMEDIATE UNIT. SCHOOL SAFETY AND SECURITY ENHANCEMENTS FOR  
19 WHICH GRANTS ARE RECEIVED SHALL BE PROVIDED FOR OR CONTRACTED  
20 FOR DIRECTLY BY THE INTERMEDIATE UNIT OR LOANED BY THE  
21 INTERMEDIATE UNIT TO THE NONPUBLIC SCHOOL.

22 \* \* \*

23 Section ~~2~~ 3. Section 1201.1(3) of the act is amended and the <--  
24 section is amended by adding a paragraph to read:

25 Section 1201.1. Substitute Teaching Permit for Prospective  
26 Teachers.--An individual who does not hold a certificate under  
27 section 1201 shall be eligible to teach as a substitute in a  
28 school district, an area career and technical school or an  
29 intermediate unit provided that:

30 \* \* \*

1 (3) An individual receiving a Substitute Teaching Permit for  
2 Prospective Teachers may serve as a substitute teacher for no  
3 more than ten (10) days per school year for a single  
4 professional employe or temporary professional employe, provided  
5 that the individual may serve as a substitute for multiple  
6 professional employes or temporary professional employes for no  
7 more than twenty (20) days per school year. [For the 2021-2022  
8 and 2022-2023] Subject to paragraph (3.1), for the 2023-2024,  
9 2024-2025 and 2025-2026 school years, the number of days or  
10 hours per school year for which an individual receiving a permit  
11 under this section may serve as a substitute teacher shall not  
12 be limited, except for an individual who is undertaking a  
13 student teacher program as required under 22 Pa. Code §  
14 354.25(f) (relating to preparation program curriculum) for  
15 educator preparation programs.

16 (3.1) During an individual's student teacher program  
17 required under 22 Pa. Code § 354.25(f) (relating to preparation  
18 program curriculum) for educator preparation programs, the  
19 individual may serve as a substitute teacher for no more than  
20 ten (10) days in the individual's assigned classroom or  
21 classrooms or for other teachers within the building or  
22 buildings in which the individual has been placed as a student  
23 teacher.

24 \* \* \*

25 ~~Section 3. Sections 1215 and 1218(e), (f) and (g) of the act <--~~  
26 ~~are amended to read:~~

27 SECTION 3 4. SECTION 1215 OF THE ACT IS AMENDED TO READ: <--

28 Section 1215. Locally Issued Temporary Certification for  
29 Substitute Teachers.--A temporary substitute teacher certificate  
30 may be issued by a public school entity to an individual who

1 presents a letter from a college or university verifying that  
2 the individual has completed an approved teacher preparation  
3 program, has successfully completed the certification testing  
4 requirements or is in the process of scheduling the required  
5 certification testing and has completed all requirements for the  
6 awarding of a bachelor's degree on a date certain. The temporary  
7 substitute teacher certificate shall only be used for day-to-day  
8 assignments and shall expire upon the termination of any summer  
9 school conducted in the summer which follows the date of  
10 issuance or upon the receipt of Instructional I certification by  
11 the individual. [For the 2021-2022 and 2022-2023 school years,  
12 the] The temporary substitute teacher certificate issued under  
13 this section may be used for assignments of more than twenty  
14 (20) consecutive days to fill a position due to the absence of  
15 professional certified personnel.

16 ~~Section 1218. Permit for Classroom Monitors. \* \* \*~~ <--

17 ~~(e) Each school entity shall report to the department the~~  
18 ~~following by March 31, [2023] 2026:~~

19 ~~(1) The number of individuals who served as classroom-~~  
20 ~~monitors under this section and the number of days on which the~~  
21 ~~school entity used the services of classroom monitors.~~

22 ~~(2) The school entity's day to day substitute teacher~~  
23 ~~compensation rates in each of the school years from 2020-2021[,~~   
24 ~~2021-2022 and 2022-2023 school years] through 2025-2026. For a~~  
25 ~~school entity that uses a third party entity to provide~~  
26 ~~substitute teachers, the rate reported by the school entity~~  
27 ~~shall be the take home amount received by an individual,~~  
28 ~~excluding the portion paid to the third party entity. The~~  
29 ~~department shall issue rules necessary to effectuate this~~  
30 ~~subsection.~~

1 ~~(f) By April 15, [2023] 2026, the department shall issue a~~  
2 ~~report on the effectiveness of the classroom monitor permit and~~  
3 ~~recommendations for improvement or continuation of the permit.~~  
4 ~~The report shall include, but not be limited to, the information~~  
5 ~~reported to the department under subsection (c) and a formal~~  
6 ~~evaluation of the permit and its effectiveness by an independent~~  
7 ~~research organization which may include a college or university~~  
8 ~~accredited by a regional accrediting agency. The report shall be~~  
9 ~~submitted to the General Assembly and the State Board and shall~~  
10 ~~be posted on the department's publicly accessible Internet~~  
11 ~~website.~~

12 ~~(g) This section shall expire on June 30, [2023] 2026.~~

13 SECTION 4 5. SECTION 1218 OF THE ACT, EXPIRED JUNE 30, 2023, <--  
14 IS REPEALED:

15 [SECTION 1218. PERMIT FOR CLASSROOM MONITORS.-- (A) A SCHOOL  
16 ENTITY MAY REQUEST THAT THE DEPARTMENT ISSUE A CLASSROOM MONITOR  
17 PERMIT TO ALLOW AN INDIVIDUAL TO DELIVER TO STUDENTS ASSIGNMENTS  
18 THAT ARE PREPLANNED BY A PROFESSIONAL EMPLOYE OR TEMPORARY  
19 PROFESSIONAL EMPLOYE. A CLASSROOM MONITOR MAY NOT PLAN LESSONS  
20 OR CREATE OR GRADE STUDENT WORK.

21 (B) AN INDIVIDUAL RECEIVING A PERMIT UNDER SUBSECTION (A)  
22 SHALL SATISFY ALL OF THE FOLLOWING:

23 (1) HAS COMPLETED AT LEAST SIXTY (60) SEMESTER HOURS OR THE  
24 EQUIVALENT OF COURSES AT A COLLEGE OR UNIVERSITY LOCATED IN THIS  
25 COMMONWEALTH AND ACCREDITED BY A REGIONAL ACCREDITING AGENCY, OR  
26 HAS AT LEAST THREE (3) YEARS' EXPERIENCE AS A PARAPROFESSIONAL  
27 IN A SCHOOL ENTITY AND IS CURRENTLY EMPLOYED AS A  
28 PARAPROFESSIONAL IN A SCHOOL ENTITY.

29 (2) HAS MET THE REQUIREMENTS UNDER SECTIONS 111, 111.1 AND  
30 1109(A) AND 23 PA.C.S. CH. 63 SUBCH. C (RELATING TO POWERS AND

1 DUTIES OF DEPARTMENT) .

2 (3) HAS ATTAINED A MINIMUM AGE OF TWENTY-FIVE (25) YEARS.

3 (4) HAS COMPLETED TRAINING ON CLASSROOM MANAGEMENT PROVIDED  
4 BY AN INTERMEDIATE UNIT AND APPROVED BY THE DEPARTMENT.

5 (C) AN INDIVIDUAL RECEIVING A PERMIT UNDER THIS SECTION WHO  
6 IS ALREADY EMPLOYED BY THE SCHOOL ENTITY AS A PARAPROFESSIONAL  
7 SHALL RECEIVE THE HIGHER OF THE INDIVIDUAL'S EXISTING  
8 CONTRACTUAL COMPENSATION OR THE COMPENSATION ESTABLISHED BY THE  
9 SCHOOL ENTITY FOR DAY-TO-DAY SUBSTITUTE TEACHERS.

10 (D) EACH SCHOOL ENTITY THAT USES THE SERVICES OF A CLASSROOM  
11 MONITOR UNDER THIS SECTION SHALL ENSURE THAT EACH STUDENT WHO  
12 RECEIVES SERVICES UNDER AN INDIVIDUALIZED EDUCATION PROGRAM  
13 UNDER THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT (PUBLIC  
14 LAW 91-230, 20 U.S.C. § 1400 ET SEQ.) RECEIVES A FREE AND  
15 APPROPRIATE PUBLIC EDUCATION AS REQUIRED UNDER THE INDIVIDUALS  
16 WITH DISABILITIES EDUCATION ACT.

17 (E) EACH SCHOOL ENTITY SHALL REPORT TO THE DEPARTMENT THE  
18 FOLLOWING BY MARCH 31, 2023:

19 (1) THE NUMBER OF INDIVIDUALS WHO SERVED AS CLASSROOM  
20 MONITORS UNDER THIS SECTION AND THE NUMBER OF DAYS ON WHICH THE  
21 SCHOOL ENTITY USED THE SERVICES OF CLASSROOM MONITORS.

22 (2) THE SCHOOL ENTITY'S DAY-TO-DAY SUBSTITUTE TEACHER  
23 COMPENSATION RATES IN THE 2020-2021, 2021-2022 AND 2022-2023  
24 SCHOOL YEARS. FOR A SCHOOL ENTITY THAT USES A THIRD-PARTY ENTITY  
25 TO PROVIDE SUBSTITUTE TEACHERS, THE RATE REPORTED BY THE SCHOOL  
26 ENTITY SHALL BE THE TAKE-HOME AMOUNT RECEIVED BY AN INDIVIDUAL,  
27 EXCLUDING THE PORTION PAID TO THE THIRD-PARTY ENTITY. THE  
28 DEPARTMENT SHALL ISSUE RULES NECESSARY TO EFFECTUATE THIS  
29 SUBSECTION.

30 (F) BY APRIL 15, 2023, THE DEPARTMENT SHALL ISSUE A REPORT

1 ON THE EFFECTIVENESS OF THE CLASSROOM MONITOR PERMIT AND  
2 RECOMMENDATIONS FOR IMPROVEMENT OR CONTINUATION OF THE PERMIT.  
3 THE REPORT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE INFORMATION  
4 REPORTED TO THE DEPARTMENT UNDER SUBSECTION (E) AND A FORMAL  
5 EVALUATION OF THE PERMIT AND ITS EFFECTIVENESS BY AN INDEPENDENT  
6 RESEARCH ORGANIZATION WHICH MAY INCLUDE A COLLEGE OR UNIVERSITY  
7 ACCREDITED BY A REGIONAL ACCREDITING AGENCY. THE REPORT SHALL BE  
8 SUBMITTED TO THE GENERAL ASSEMBLY AND THE STATE BOARD AND SHALL  
9 BE POSTED ON THE DEPARTMENT'S PUBLICLY ACCESSIBLE INTERNET  
10 WEBSITE.

11 (G) THIS SECTION SHALL EXPIRE ON JUNE 30, 2023.]

12 SECTION 5 6. THE ACT IS AMENDED BY ADDING A SECTION TO READ: <--

13 SECTION 1218.1. PERMIT FOR CLASSROOM MONITORS.-- (A) A  
14 SCHOOL ENTITY MAY REQUEST THAT THE DEPARTMENT ISSUE A CLASSROOM  
15 MONITOR PERMIT TO ALLOW AN INDIVIDUAL TO DELIVER TO STUDENTS  
16 ASSIGNMENTS THAT ARE PREPLANNED BY A PROFESSIONAL EMPLOYE OR  
17 TEMPORARY PROFESSIONAL EMPLOYE. A CLASSROOM MONITOR MAY NOT PLAN  
18 LESSONS OR CREATE OR GRADE STUDENT WORK.

19 (B) AN INDIVIDUAL RECEIVING A PERMIT UNDER SUBSECTION (A)  
20 SHALL SATISFY ALL OF THE FOLLOWING:

21 (1) HAS COMPLETED AT LEAST SIXTY (60) SEMESTER HOURS OR THE  
22 EQUIVALENT OF COURSES AT A COLLEGE OR UNIVERSITY LOCATED IN THIS  
23 COMMONWEALTH AND ACCREDITED BY A REGIONAL ACCREDITING AGENCY OR  
24 HAS AT LEAST THREE (3) YEARS' EXPERIENCE AS A PARAPROFESSIONAL  
25 IN A SCHOOL ENTITY AND IS CURRENTLY EMPLOYED AS A  
26 PARAPROFESSIONAL IN A SCHOOL ENTITY.

27 (2) HAS MET THE REQUIREMENTS UNDER SECTIONS 111, 111.1 AND  
28 1109(A) AND 23 PA.C.S. CH. 63 SUBCH. C (RELATING TO POWERS AND  
29 DUTIES OF DEPARTMENT).

30 (3) HAS ATTAINED A MINIMUM AGE OF TWENTY-FIVE (25) YEARS.



1 (4) HAS COMPLETED TRAINING ON CLASSROOM MANAGEMENT PROVIDED  
2 BY AN INTERMEDIATE UNIT AND APPROVED BY THE DEPARTMENT.

3 (C) AN INDIVIDUAL RECEIVING A PERMIT UNDER THIS SECTION WHO  
4 IS ALREADY EMPLOYED BY THE SCHOOL ENTITY AS A PARAPROFESSIONAL  
5 SHALL RECEIVE THE HIGHER OF THE INDIVIDUAL'S EXISTING  
6 CONTRACTUAL COMPENSATION OR THE COMPENSATION ESTABLISHED BY THE  
7 SCHOOL ENTITY FOR DAY-TO-DAY SUBSTITUTE TEACHERS.

8 (D) EACH SCHOOL ENTITY THAT USES THE SERVICES OF A CLASSROOM  
9 MONITOR UNDER THIS SECTION SHALL ENSURE THAT EACH STUDENT WHO  
10 RECEIVES SERVICES UNDER AN INDIVIDUALIZED EDUCATION PROGRAM  
11 UNDER THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT (PUBLIC  
12 LAW 91-230, 20 U.S.C. § 1400 ET SEQ.) RECEIVES A FREE AND  
13 APPROPRIATE PUBLIC EDUCATION AS REQUIRED UNDER THE INDIVIDUALS  
14 WITH DISABILITIES EDUCATION ACT.

15 (E) EACH SCHOOL ENTITY SHALL REPORT TO THE DEPARTMENT THE  
16 FOLLOWING BY MARCH 31, 2026:

17 (1) THE NUMBER OF INDIVIDUALS WHO SERVED AS CLASSROOM  
18 MONITORS UNDER THIS SECTION AND THE NUMBER OF DAYS ON WHICH THE  
19 SCHOOL ENTITY USED THE SERVICES OF CLASSROOM MONITORS.

20 (2) THE SCHOOL ENTITY'S DAY-TO-DAY SUBSTITUTE TEACHER  
21 COMPENSATION RATES IN EACH OF THE SCHOOL YEARS FROM 2020-2021  
22 THROUGH 2025-2026. FOR A SCHOOL ENTITY THAT USES A THIRD-PARTY  
23 ENTITY TO PROVIDE SUBSTITUTE TEACHERS, THE RATE REPORTED BY THE  
24 SCHOOL ENTITY SHALL BE THE TAKE-HOME AMOUNT RECEIVED BY AN  
25 INDIVIDUAL, EXCLUDING THE PORTION PAID TO THE THIRD-PARTY  
26 ENTITY. THE DEPARTMENT SHALL ISSUE RULES NECESSARY TO EFFECTUATE  
27 THIS SUBSECTION.

28 (F) BY APRIL 15, 2026, THE DEPARTMENT SHALL ISSUE A REPORT  
29 ON THE EFFECTIVENESS OF THE CLASSROOM MONITOR PERMIT AND  
30 RECOMMENDATIONS FOR IMPROVEMENT OR CONTINUATION OF THE PERMIT.

1 THE REPORT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE INFORMATION  
2 REPORTED TO THE DEPARTMENT UNDER SUBSECTION (E) AND A FORMAL  
3 EVALUATION OF THE PERMIT AND ITS EFFECTIVENESS BY AN INDEPENDENT  
4 RESEARCH ORGANIZATION WHICH MAY INCLUDE A COLLEGE OR UNIVERSITY  
5 ACCREDITED BY A REGIONAL ACCREDITING AGENCY. THE REPORT SHALL BE  
6 SUBMITTED TO THE GENERAL ASSEMBLY AND THE STATE BOARD AND SHALL  
7 BE POSTED ON THE DEPARTMENT'S PUBLICLY ACCESSIBLE INTERNET  
8 WEBSITE.

9 (G) THIS SECTION SHALL EXPIRE ON JUNE 30, 2026.

10 ~~Section 4 6 8. This act shall take effect immediately.~~ <--

11 SECTION 7. ARTICLE XIII-A HEADING AND SECTIONS 1301-A AND <--  
12 1302-A OF THE ACT ARE AMENDED TO READ:

13 ARTICLE XIII-A.

14 [SAFE SCHOOLS] STUDENT SUPPORTS.

15 SECTION 1301-A. DEFINITIONS.--AS USED IN THIS ARTICLE,

16 "CHIEF SCHOOL ADMINISTRATOR" SHALL MEAN THE SUPERINTENDENT OF  
17 A PUBLIC SCHOOL DISTRICT, SUPERINTENDENT OF AN AREA CAREER AND  
18 TECHNICAL SCHOOL, EXECUTIVE DIRECTOR OF AN INTERMEDIATE UNIT OR  
19 CHIEF EXECUTIVE OFFICER OF A CHARTER SCHOOL.

20 ["OFFICE" SHALL MEAN THE OFFICE FOR SAFE SCHOOLS WITHIN THE  
21 DEPARTMENT OF EDUCATION.]

22 "SCHOOL ENTITY" SHALL MEAN ANY PUBLIC SCHOOL DISTRICT,  
23 INTERMEDIATE UNIT, AREA CAREER AND TECHNICAL SCHOOL OR CHARTER  
24 SCHOOL.

25 "SCHOOL-BASED DIVERSION PROGRAMS" SHALL MEAN PROGRAMS [THAT,  
26 IN PARTNERSHIP WITH OTHER STAKEHOLDERS, DIVERT YOUTH OUT OF THE  
27 JUVENILE JUSTICE SYSTEM.] AND INTERVENTIONS DESIGNED TO REDIRECT  
28 YOUTH WHO COMMIT MINOR OFFENSES IN SCHOOL FROM EXCLUSIONARY  
29 DISCIPLINARY PRACTICES OR FORMAL PROCESSING IN THE JUVENILE  
30 JUSTICE SYSTEM, WHILE STILL HOLDING THE STUDENT ACCOUNTABLE FOR

1 THE STUDENT'S ACTIONS. THESE PROGRAMS INCLUDE, BUT ARE NOT  
2 LIMITED TO, YOUTH AID PANELS [IN WHICH A PANEL OF COMMUNITY  
3 MEMBERS DECIDE AN APPROPRIATE RESOLUTION TO HOLD THE STUDENT  
4 ACCOUNTABLE FOR THE STUDENT'S ACTIONS BY, AMONG OTHER OPTIONS,  
5 REQUIRING THE STUDENT TO COMPLETE EDUCATIONAL ACTIVITIES,  
6 COMMUNITY SERVICE, RESTITUTION AND ANY OTHER RELATED PROGRAM OR  
7 SERVICE.], POSITIVE YOUTH DEVELOPMENT PROGRAMMING, TEEN/YOUTH  
8 COURTS, RESTORATIVE JUSTICE INTERVENTIONS, TRUANCY PREVENTION  
9 AND INTERVENTION PROGRAMS, MENTORING PROGRAMS AND INTERVENTION  
10 PROGRAMS AND EDUCATIONAL PRACTICES TO ASSIST STUDENTS WITH  
11 PERSISTENT DISRUPTIVE AND SERIOUS PROBLEM BEHAVIORS.

12 "SCHOOL PROPERTY" SHALL MEAN ANY PUBLIC SCHOOL GROUNDS, ANY  
13 SCHOOL-SPONSORED ACTIVITY OR ANY CONVEYANCE PROVIDING  
14 TRANSPORTATION TO A SCHOOL ENTITY OR SCHOOL-SPONSORED ACTIVITY.

15 "SCHOOL-WIDE POSITIVE BEHAVIOR SUPPORT" MEANS A SCHOOL-WIDE,  
16 EVIDENCE-BASED [AND DATA-DRIVEN APPROACH TO IMPROVING SCHOOL  
17 BEHAVIOR THAT SEEKS TO REDUCE UNNECESSARY STUDENT DISCIPLINARY  
18 ACTIONS AND PROMOTE A CLIMATE OF GREATER PRODUCTIVITY, SAFETY  
19 AND LEARNING] TIERED FRAMEWORK FOR SUPPORTING STUDENTS'  
20 BEHAVIORAL, ACADEMIC, SOCIAL, EMOTIONAL AND MENTAL HEALTH.

21 ["STUDENT WITH A DISABILITY" SHALL MEAN A STUDENT WHO MEETS  
22 THE DEFINITION OF "CHILD WITH A DISABILITY" UNDER THE  
23 INDIVIDUALS WITH DISABILITIES EDUCATION ACT (PUBLIC LAW 91-230,  
24 20 U.S.C. § 1400 ET SEQ.) OR WHO MEETS THE DEFINITION OF A  
25 "HANDICAPPED PERSON" UNDER SECTION 504 OF THE REHABILITATION ACT  
26 OF 1973 (PUBLIC LAW 93-112, 29 U.S.C. § 794) AND ITS  
27 IMPLEMENTING REGULATIONS (34 C.F.R. § 104.3(J)). THE TERM  
28 INCLUDES A STUDENT FOR WHOM AN EVALUATION IS PENDING UNDER  
29 EITHER THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT OR  
30 REHABILITATION ACT.]

1 "WEAPON" SHALL INCLUDE, BUT NOT BE LIMITED TO, ANY KNIFE,  
2 CUTTING INSTRUMENT, CUTTING TOOL, NUNCHAKU, FIREARM, SHOTGUN,  
3 RIFLE AND ANY OTHER TOOL, INSTRUMENT OR IMPLEMENT CAPABLE OF  
4 INFLECTING SERIOUS BODILY INJURY.

5 SECTION 1302-A. [OFFICE FOR SAFE SCHOOLS] STUDENT  
6 SUPPORTS.-- (A) [THERE IS HEREBY ESTABLISHED IN THE DEPARTMENT  
7 OF EDUCATION AN OFFICE FOR SAFE SCHOOLS.] (RESERVED).

8 (B) THE [OFFICE] DEPARTMENT OF EDUCATION SHALL HAVE THE  
9 POWER AND DUTY TO IMPLEMENT THE FOLLOWING:

10 (1) [TO COORDINATE ANTIVIOLENCE EFFORTS BETWEEN SCHOOL,  
11 PROFESSIONAL, PARENTAL, GOVERNMENTAL, LAW ENFORCEMENT AND  
12 COMMUNITY ORGANIZATIONS AND ASSOCIATIONS.]

13 (2) TO COLLECT, DEVELOP AND DISSEMINATE INFORMATION,  
14 POLICIES, STRATEGIES AND OTHER INFORMATION TO ASSIST IN THE  
15 DEVELOPMENT OF PROGRAMS TO IMPACT SCHOOL VIOLENCE.

16 (2.1) TO DIRECT ALL SCHOOL ENTITIES TO SUBMIT ANNUAL SCHOOL  
17 VIOLENCE STATISTICS AND REPORTS TO THE OFFICE NO LATER THAN JULY  
18 31 OF EACH YEAR.

19 (3)] TO COLLECT, DEVELOP AND DISSEMINATE INFORMATION,  
20 POLICIES, STRATEGIES AND OTHER INFORMATION TO ASSIST IN THE  
21 DEVELOPMENT OF PROGRAMS THAT SUPPORT STUDENTS, REDUCE  
22 UNNECESSARY STUDENT DISCIPLINARY ACTIONS AND PROMOTE AN  
23 ENVIRONMENT OF GREATER PRODUCTIVITY, SAFETY AND LEARNING,  
24 INCLUDING, BUT NOT LIMITED TO:

25 (I) SCHOOL-WIDE POSITIVE BEHAVIOR SUPPORT THAT INCLUDES  
26 PRIMARY OR UNIVERSAL, SECONDARY AND TERTIARY SUPPORTS AND  
27 INTERVENTIONS IN SCHOOL ENTITIES.

28 (II) SCHOOL-BASED DIVERSION PROGRAMS.

29 (III) CLASSROOM MANAGEMENT.

30 (IV) STUDENT DISCIPLINE.

1 (V) STUDENT CODES OF CONDUCT.

2 (VI) TRAINING TO ASSESS RISK FACTORS THAT INCREASE THE  
3 LIKELIHOOD OF PROBLEM BEHAVIORS AMONG STUDENTS.

4 (VII) CONFLICT RESOLUTION AND DISPUTE MANAGEMENT.

5 (VIII) STAFF TRAINING PROGRAMS IN THE USE OF POSITIVE  
6 BEHAVIOR SUPPORTS, DE-ESCALATION TECHNIQUES, APPROPRIATE  
7 RESPONSES TO STUDENT BEHAVIOR THAT MAY REQUIRE IMMEDIATE  
8 INTERVENTION AND TRAUMA-INFORMED TREATMENT FOR MENTAL HEALTH  
9 PROVIDERS IN SCHOOLS.

10 (IX) RESEARCH-BASED VIOLENCE PREVENTION PROGRAMS THAT  
11 ADDRESS RISK FACTORS TO REDUCE INCIDENTS OF PROBLEM BEHAVIORS  
12 AMONG STUDENTS, INCLUDING, BUT NOT LIMITED TO, MENTAL HEALTH  
13 EARLY INTERVENTION, SELF-CARE, BULLYING AND SUICIDE AWARENESS  
14 AND PREVENTION.

15 (X) RISK ASSESSMENT, SAFETY-RELATED, VIOLENCE PREVENTION  
16 CURRICULA, INCLUDING DATING VIOLENCE CURRICULA, RESTORATIVE  
17 JUSTICE STRATEGIES, MENTAL HEALTH EARLY INTERVENTION, SELF-CARE  
18 AND SUICIDE AWARENESS AND PREVENTION CURRICULA.

19 (XI) EVIDENCE-BASED SCREENINGS FOR ADVERSE CHILDHOOD  
20 EXPERIENCES THAT ARE PROVEN TO BE DETERMINANTS OF PHYSICAL,  
21 SOCIAL AND BEHAVIORAL HEALTH AND PROVIDE TRAUMA-INFORMED  
22 COUNSELING SERVICES AS NECESSARY TO STUDENTS BASED UPON THE  
23 SCREENING RESULTS.

24 (XII) TRAUMA-INFORMED APPROACHES THAT INCREASE STUDENT AND  
25 SCHOOL EMPLOYEE ACCESS TO QUALITY TRAUMA SUPPORT SERVICES AND  
26 BEHAVIORAL HEALTH CARE.

27 (2) TO PROVIDE DIRECT TRAINING TO SCHOOL EMPLOYEES, PARENTS,  
28 LAW ENFORCEMENT OFFICIALS AND COMMUNITIES ON EFFECTIVE MEASURES  
29 TO [PREVENT AND COMBAT SCHOOL VIOLENCE.

30 (4)] MAINTAIN AND IMPROVE LEARNING ENVIRONMENTS FOR STUDENTS

1 AND STAFF.

2 (3) TO [ADVISE] ASSIST IN COLLABORATION AND COORDINATION  
3 WITH THE SCHOOL SAFETY AND SECURITY COMMITTEE ESTABLISHED UNDER  
4 SECTION 1302-B SCHOOL ENTITIES AND NONPUBLIC SCHOOLS ON THE  
5 DEVELOPMENT OF POLICIES TO BE USED REGARDING POSSESSION OF  
6 WEAPONS BY ANY PERSON, ACTS OF VIOLENCE AND PROTOCOLS FOR  
7 COORDINATION WITH AND REPORTING TO LAW ENFORCEMENT OFFICIALS AND  
8 THE DEPARTMENT OF EDUCATION.

9 [(4.1)] (4) TO VERIFY THE EXISTENCE OF CORRECTIVE ACTION  
10 PLANS TO REDUCE INCIDENTS OF VIOLENCE AS REQUIRED IN THE [NO  
11 CHILD LEFT BEHIND ACT OF 2001 (PUBLIC LAW 107-110, 115 STAT.  
12 1425).] EVERY STUDENT SUCCEEDS ACT (PUBLIC LAW 114-95, 129 STAT.  
13 1802).

14 (5) TO DEVELOP IN COLLABORATION AND COORDINATION WITH THE  
15 SCHOOL SAFETY AND SECURITY COMMITTEE ESTABLISHED UNDER SECTION  
16 1302-B FORMS TO BE USED BY SCHOOL ENTITIES AND POLICE  
17 DEPARTMENTS FOR REPORTING INCIDENTS INVOLVING ACTS OF VIOLENCE  
18 AND POSSESSION OF WEAPONS ON SCHOOL PROPERTY. THE FORMS SHALL BE  
19 REVIEWED ON A BIENNIAL BASIS AND REVISED WHEN NECESSARY.

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

24 (7) TO PUBLISH AND POST ON THE DEPARTMENT OF EDUCATION'S  
25 INTERNET WEBSITE A SCHOOL SAFETY ANNUAL REPORT NO LATER THAN  
26 NOVEMBER 1 OF EACH CALENDAR YEAR OUTLINING ALL INCIDENTS  
27 REQUIRED TO BE REPORTED UNDER SECTION 1303-A AND ANY SCHOOL  
28 DISTRICT THAT FAILED TO SUBMIT A REPORT UNDER SECTION 1303-A.

29 (8) TO ESTABLISH CRITERIA, IN CONSULTATION WITH THE  
30 PENNSYLVANIA STATE POLICE, FOR CERTIFYING APPROVED VENDORS TO

1 PROVIDE SCHOOL POLICE OFFICERS TO NONPUBLIC SCHOOLS FOR THE  
2 PURPOSES OF AWARDING GRANTS UNDER SUBSECTION (C.1) (3) .

3 (9) TO PUBLISH AND POST ON THE DEPARTMENT OF EDUCATION'S  
4 PUBLICLY ACCESSIBLE INTERNET WEBSITE A LISTING OF ALL APPROVED  
5 VENDORS UNDER PARAGRAPH (8) .]

6 (B.1) THE [OFFICE] DEPARTMENT OF EDUCATION SHALL PROCESS AND  
7 TABULATE THE DATA ON AN ANNUAL BASIS TO ASSIST SCHOOL  
8 ADMINISTRATORS, THE SCHOOL SAFETY AND SECURITY COMMITTEE  
9 ESTABLISHED UNDER SECTION 1302-B AND LAW ENFORCEMENT OFFICIALS  
10 IN THEIR DUTIES UNDER THIS ARTICLE.

11 [(C) IN ADDITION TO THE POWERS AND DUTIES SET FORTH UNDER  
12 SUBSECTION (B), THE OFFICE IS AUTHORIZED TO MAKE TARGETED GRANTS  
13 TO SCHOOL ENTITIES, AND TO INTERMEDIATE UNITS ON BEHALF OF  
14 NONPUBLIC SCHOOLS, TO FUND PROGRAMS WHICH ADDRESS SCHOOL  
15 VIOLENCE, INCLUDING:

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

18 (1.1) SCHOOL-WIDE POSITIVE BEHAVIOR SUPPORT THAT INCLUDES  
19 PRIMARY OR UNIVERSAL, SECONDARY AND TERTIARY SUPPORTS AND  
20 INTERVENTIONS IN SCHOOL ENTITIES.

21 (1.2) SCHOOL-BASED DIVERSION PROGRAMS.

22 (2) PEER HELPERS PROGRAMS.

23 (3) RISK ASSESSMENT, SAFETY-RELATED, VIOLENCE PREVENTION  
24 CURRICULA, INCLUDING, BUT NOT LIMITED TO, DATING VIOLENCE  
25 CURRICULA AND RESTORATIVE JUSTICE STRATEGIES.

26 (4) CLASSROOM MANAGEMENT.

27 (5) STUDENT CODES OF CONDUCT.

28 (6) TRAINING TO UNDERTAKE A DISTRICTWIDE ASSESSMENT OF RISK  
29 FACTORS THAT INCREASE THE LIKELIHOOD OF PROBLEM BEHAVIORS AMONG  
30 STUDENTS.

1 (7) DEVELOPMENT AND IMPLEMENTATION OF RESEARCH-BASED  
2 VIOLENCE PREVENTION PROGRAMS THAT ADDRESS RISK FACTORS TO REDUCE  
3 INCIDENTS OF PROBLEM BEHAVIORS AMONG STUDENTS INCLUDING, BUT NOT  
4 LIMITED TO, BULLYING.

5 (8) COMPREHENSIVE, DISTRICTWIDE SCHOOL SAFETY, VIOLENCE  
6 PREVENTION, EMERGENCY PREPAREDNESS AND ALL-HAZARDS PLANS,  
7 INCLUDING REVISIONS OR UPDATES TO SUCH PLANS AND CONDUCTING  
8 EMERGENCY PREPAREDNESS DRILLS AND RELATED ACTIVITIES WITH LOCAL  
9 EMERGENCY RESPONDERS.

10 (9) SECURITY PLANNING, PURCHASE OF SECURITY-RELATED  
11 TECHNOLOGY WHICH MAY INCLUDE METAL DETECTORS, PROTECTIVE  
12 LIGHTING, SURVEILLANCE EQUIPMENT, SPECIAL EMERGENCY  
13 COMMUNICATIONS EQUIPMENT, ELECTRONIC LOCKSETS, DEADBOLTS AND  
14 THEFT CONTROL DEVICES AND TRAINING IN THE USE OF SECURITY-  
15 RELATED TECHNOLOGY. SECURITY PLANNING AND PURCHASE OF SECURITY-  
16 RELATED TECHNOLOGY SHALL BE BASED ON SAFETY NEEDS IDENTIFIED BY  
17 THE SCHOOL ENTITY'S BOARD OF DIRECTORS.

18 (10) INSTITUTION OF STUDENT, STAFF AND VISITOR  
19 IDENTIFICATION SYSTEMS, INCLUDING CRIMINAL BACKGROUND CHECK  
20 SOFTWARE.

21 (12) PROVISION OF SPECIALIZED STAFF AND STUDENT TRAINING  
22 PROGRAMS, INCLUDING TRAINING FOR STUDENT ASSISTANCE PROGRAM TEAM  
23 MEMBERS IN ELEMENTARY, MIDDLE AND HIGH SCHOOLS IN THE REFERRAL  
24 OF STUDENTS AT RISK OF VIOLENT BEHAVIOR TO APPROPRIATE  
25 COMMUNITY-BASED SERVICES, INCLUDING MENTAL HEALTH SERVICES.

26 (13) ALTERNATIVE EDUCATION PROGRAMS PROVIDED FOR IN ARTICLE  
27 XIX-C.

28 (14) COUNSELING SERVICES FOR STUDENTS ENROLLED IN  
29 ALTERNATIVE EDUCATION PROGRAMS.

30 (15) AN INTERNET WEB-BASED SYSTEM FOR THE MANAGEMENT OF



1 STUDENT DISCIPLINE, INCLUDING MISCONDUCT AND CRIMINAL OFFENSES.

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

5 (17) THE IMPLEMENTATION OF ARTICLE XIII-E.

6 (C.1) (1) IN ADDITION TO THE POWERS AND DUTIES SET FORTH  
7 UNDER SUBSECTIONS (B) AND (C), THE OFFICE IS AUTHORIZED TO MAKE  
8 TARGETED GRANTS TO SCHOOL ENTITIES, MUNICIPALITIES, LOCAL LAW  
9 ENFORCEMENT AGENCIES AND APPROVED VENDORS TO FUND PROGRAMS WHICH  
10 ADDRESS SCHOOL VIOLENCE BY ESTABLISHING OR ENHANCING SCHOOL  
11 SECURITY, INCLUDING COSTS ASSOCIATED WITH THE TRAINING AND  
12 COMPENSATION OF SCHOOL RESOURCE OFFICERS AND SCHOOL POLICE  
13 OFFICERS. MUNICIPALITIES OR LOCAL LAW ENFORCEMENT AGENCIES THAT  
14 RECEIVE GRANTS UNDER THIS SUBSECTION SHALL, WITH THE PRIOR  
15 CONSENT OF THE GOVERNING BOARD OF THE SCHOOL ENTITY OR NONPUBLIC  
16 SCHOOL, ASSIGN SCHOOL RESOURCE OFFICERS TO CARRY OUT THEIR  
17 OFFICIAL DUTIES ON THE PREMISES OF THE SCHOOL ENTITY OR  
18 NONPUBLIC SCHOOL.

19 (2) MUNICIPALITIES OR LOCAL LAW ENFORCEMENT AGENCIES MAY NOT  
20 RECEIVE GRANT FUNDS UNDER THIS SUBSECTION FOR ANY PURPOSE OTHER  
21 THAN FOR COSTS ASSOCIATED WITH SCHOOL RESOURCE OFFICERS AND ARE  
22 NOT ELIGIBLE FOR OTHER GRANTS PROVIDED TO SCHOOL ENTITIES UNDER  
23 THIS SECTION. IN ASSIGNING SCHOOL RESOURCE OFFICERS PURSUANT TO  
24 THIS SUBSECTION, MUNICIPALITIES SHALL TAKE INTO CONSIDERATION  
25 THE PROPORTION OF STUDENTS ENROLLED IN EACH SCHOOL ENTITY OR  
26 NONPUBLIC SCHOOL.

27 (3) NONPUBLIC SCHOOLS ARE AUTHORIZED TO APPLY TO THE OFFICE  
28 FOR GRANT FUNDING UNDER PARAGRAPH (1) TO BE USED FOR THE COSTS  
29 ASSOCIATED WITH OBTAINING THE SERVICES OF A SCHOOL POLICE  
30 OFFICER FROM A LIST OF APPROVED VENDORS CERTIFIED BY THE OFFICE.

1 GRANT AWARDS FOR THIS PURPOSE SHALL BE AWARDED AND PAID DIRECTLY  
2 TO THE APPROVED VENDOR WITH WHICH THE NONPUBLIC SCHOOL CONTRACTS  
3 FOR SERVICES. NONPUBLIC SCHOOLS MAY NOT APPLY FOR GRANT FUNDING  
4 UNDER THIS SECTION FOR ANY PURPOSE OTHER THAN OBTAINING THE  
5 SERVICES OF A SCHOOL POLICE OFFICER UNDER THIS PARAGRAPH.

6 (D) THE OFFICE SHALL HAVE THE FOLLOWING DUTIES AS TO  
7 TARGETED GRANTS:

8 (1) TARGETED GRANTS SHALL BE ALLOCATED THROUGH A COMPETITIVE  
9 GRANT REVIEW PROCESS ESTABLISHED BY THE OFFICE. SCHOOL ENTITIES  
10 MUST SATISFY THE REQUIREMENTS OF THIS SECTION AND SECTION 1303-A  
11 TO BE ELIGIBLE FOR GRANTS. THE APPLICATION FOR A TARGETED GRANT  
12 SHALL INCLUDE:

13 (I) THE PURPOSE FOR WHICH THE TARGETED GRANT SHALL BE  
14 UTILIZED;

15 (II) INFORMATION INDICATING NEED FOR THE TARGETED GRANT,  
16 INCLUDING, BUT NOT LIMITED TO, SCHOOL VIOLENCE STATISTICS;

17 (III) AN ESTIMATED BUDGET;

18 (IV) METHODS FOR MEASURING OUTCOMES; AND

19 (V) ANY OTHER CRITERIA AS THE OFFICE MAY REQUIRE.

20 (2) THE OFFICE SHALL:

21 (I) GIVE PRIORITY IN GRANT FUNDING UNDER SUBSECTION (C) TO A  
22 SCHOOL ENTITY DESIGNATED AS A PERSISTENTLY DANGEROUS SCHOOL AS  
23 DEFINED IN 22 PA. CODE § 403.2 (RELATING TO DEFINITIONS).

24 (II) GIVE PRIORITY IN GRANT FUNDING UNDER SUBSECTION (C) TO  
25 SCHOOL ENTITIES WITH THE GREATEST NEED TO ESTABLISH SAFETY AND  
26 ORDER.

27 (III) TO THE GREATEST EXTENT POSSIBLE, ENSURE THAT GRANT  
28 FUNDING IS GEOGRAPHICALLY DISPERSED TO SCHOOL ENTITIES AND  
29 MUNICIPALITIES THROUGHOUT THIS COMMONWEALTH.

30 (IV) FOR SCHOOL ENTITIES, MUNICIPALITIES, LOCAL LAW

1 ENFORCEMENT AGENCIES AND NONPUBLIC SCHOOLS THAT APPLY FOR  
2 FUNDING FOR THE TRAINING AND COMPENSATION OF SCHOOL RESOURCE  
3 OFFICERS AND SCHOOL POLICE OFFICERS UNDER SUBSECTION (C.1), GIVE  
4 PRIORITY TO SCHOOL ENTITIES, MUNICIPALITIES, LOCAL LAW  
5 ENFORCEMENT AGENCIES AND NONPUBLIC SCHOOLS THAT UTILIZE SCHOOL  
6 RESOURCE OFFICERS OR SCHOOL POLICE OFFICERS WHO HAVE COMPLETED  
7 ADDITIONAL TRAINING RECOMMENDED BY THE DEPARTMENT OF EDUCATION  
8 RELATING TO INTERACTION WITH ALL CHILDREN AND ADOLESCENTS WITHIN  
9 A SCHOOL SETTING.

10 (V) FOR SCHOOL ENTITIES OR NONPUBLIC SCHOOLS THAT APPLY FOR  
11 FUNDING FOR SCHOOL POLICE OFFICERS UNDER SUBSECTION (C.1), GIVE  
12 PRIORITY TO SCHOOL ENTITIES AND NONPUBLIC SCHOOLS THAT UTILIZE  
13 SCHOOL POLICE OFFICERS WHO SATISFY ALL OF THE FOLLOWING:

14 (A) ARE RETIRED FEDERAL AGENTS OR RETIRED STATE, MUNICIPAL  
15 OR MILITARY POLICE OFFICERS.

16 (B) ARE INDEPENDENT CONTRACTORS OF THE SCHOOL ENTITY OR  
17 NONPUBLIC SCHOOL.

18 (C) ARE COMPENSATED ON AN HOURLY BASIS AND RECEIVE NO OTHER  
19 COMPENSATION OR FRINGE BENEFITS FROM THE SCHOOL ENTITY OR  
20 NONPUBLIC SCHOOL.

21 (D) HAVE COMPLETED SUCH ANNUAL TRAINING AS SHALL BE REQUIRED  
22 BY THE MUNICIPAL POLICE OFFICERS' EDUCATION AND TRAINING  
23 COMMISSION PURSUANT TO 53 PA.C.S. CH. 21 SUBCH. D (RELATING TO  
24 MUNICIPAL POLICE EDUCATION AND TRAINING).

25 (E) ARE IN SATISFACTION OF THE REQUIREMENTS OF SECTION 111.

26 (F) IN THE CASE OF A SCHOOL ENTITY, HAVE BEEN INDEMNIFIED BY  
27 THE SCHOOL ENTITY PURSUANT TO 42 PA.C.S. § 8548 (RELATING TO  
28 INDEMNITY).

29 (G) ARE UTILIZED BY A SCHOOL ENTITY OR NONPUBLIC SCHOOL THAT  
30 HAS NOT EMPLOYED A SCHOOL POLICE OFFICER WITHIN THE THREE YEARS

1 IMMEDIATELY PRECEDING THE EFFECTIVE DATE OF THIS CLAUSE.  
2 NOTHING IN THIS CLAUSE SHALL BE CONSTRUED TO IMPACT ON GRANT  
3 DECISIONS FOR SCHOOL ENTITIES, MUNICIPALITIES OR LOCAL LAW  
4 ENFORCEMENT AGENCIES THAT APPLY FOR FUNDING FOR HIRING OF SCHOOL  
5 RESOURCE OFFICERS PURSUANT TO SUBSECTION (C.1).

6 (3) THE OFFICE SHALL PROVIDE ALL TARGETED GRANT AGREEMENTS  
7 TO THE DEPARTMENT OF EDUCATION'S COMPTROLLER FOR REVIEW AND  
8 APPROVAL PRIOR TO AWARDING THE GRANT. THE SCHOOL ENTITY,  
9 MUNICIPALITY, LOCAL LAW ENFORCEMENT AGENCY OR APPROVED VENDOR  
10 SHALL PROVIDE THE OFFICE WITH FULL AND COMPLETE ACCESS TO ALL  
11 RECORDS RELATING TO THE PERFORMANCE OF THE GRANT, AND SHALL  
12 SUBMIT, AT SUCH TIME AND IN SUCH FORM AS MAY BE PRESCRIBED,  
13 TRUTHFUL AND ACCURATE INFORMATION THAT THE OFFICE MAY REQUIRE.  
14 THE OFFICE SHALL CONDUCT A THOROUGH ANNUAL EVALUATION OF EACH  
15 PROGRAM FOR WHICH A GRANT UNDER THIS SECTION IS MADE. THE OFFICE  
16 SHALL SEEK REPAYMENT OF FUNDS IF IT DETERMINES THAT FUNDS WERE  
17 NOT UTILIZED FOR THE ORIGINAL STATED PURPOSE.

18 (E) FOR ANY FISCAL YEAR PRIOR TO 2019-2020, THE SUM  
19 APPROPRIATED ANNUALLY TO THE DEPARTMENT OF EDUCATION FOR THE  
20 PURPOSE OF MAKING TARGETED GRANTS UNDER THIS SECTION SHALL BE  
21 ALLOCATED AS FOLLOWS:

22 (1) TWENTY-FIVE PERCENT OF THE SUM SHALL BE ALLOCATED FOR  
23 GRANTS UNDER SUBSECTION (C).

24 (2) SEVENTY-FIVE PERCENT OF THE SUM SHALL BE ALLOCATED FOR  
25 GRANTS UNDER SUBSECTION (C.1).

26 (E.1) ANY GRANT FUNDING ALLOCATED UNDER SUBSECTION (C.1)  
27 ABOVE THE AMOUNT ALLOCATED IN FISCAL YEAR 2017-2018 MAY BE  
28 PRIORITIZED FOR NONPUBLIC SCHOOLS.

29 (E.2) BEGINNING IN FISCAL YEAR 2019-2020, GRANTS AWARDED  
30 UNDER SUBSECTION (C.1) SHALL NOT EXCEED THE AMOUNT AWARDED IN

1 FISCAL YEAR 2018-2019 UNDER THAT SUBSECTION AND NO LESS THAN  
2 \$3,200,000 SHALL BE AWARDED TO INTERMEDIATE UNITS ON BEHALF OF  
3 NONPUBLIC SCHOOLS UNDER SUBSECTION (C).

4 (F) AS USED IN THIS SECTION, "SCHOOL ENTITY" SHALL HAVE THE  
5 SAME MEANING GIVEN TO IT UNDER SECTION 222(C).]

6 SECTION 8. SECTIONS 1302.1-A AND 1303-A OF THE ACT ARE  
7 REPEALED:

8 [SECTION 1302.1-A. REGULATIONS.--(A) WITHIN ONE YEAR OF THE  
9 EFFECTIVE DATE OF THIS SECTION, THE STATE BOARD OF EDUCATION  
10 SHALL PROMULGATE FINAL-OMITTED REGULATIONS PURSUANT TO THE ACT  
11 OF JUNE 25, 1982 (P.L.633, NO.181), KNOWN AS THE "REGULATORY  
12 REVIEW ACT," NECESSARY TO IMPLEMENT THIS ARTICLE. THE  
13 REGULATIONS SHALL INCLUDE THE FOLLOWING:

14 (1) A MODEL MEMORANDUM OF UNDERSTANDING BETWEEN SCHOOL  
15 ENTITIES AND LOCAL POLICE DEPARTMENTS. THE MODEL MEMORANDUM OF  
16 UNDERSTANDING SHALL BE REVIEWED ON A BIENNIAL BASIS AND REVISED  
17 WHERE NECESSARY. THE STATE BOARD OF EDUCATION MAY REVISE THE  
18 MODEL MEMORANDUM OF UNDERSTANDING BY PUBLISHING A NOTICE IN THE  
19 PENNSYLVANIA BULLETIN THAT CONTAINS THE COMPLETE REVISED MODEL  
20 MEMORANDUM OF UNDERSTANDING. THE REVISED MODEL MEMORANDUM OF  
21 UNDERSTANDING SHALL BE INCORPORATED INTO THE PENNSYLVANIA CODE  
22 IN PLACE OF THE EXISTING MODEL MEMORANDUM OF UNDERSTANDING.

23 (2) PROTOCOL FOR THE NOTIFICATION OF THE POLICE DEPARTMENT  
24 WHEN AN OFFENSE LISTED UNDER SECTION 1303-A(B) (4.1) OCCURS ON  
25 SCHOOL PROPERTY, WHICH SHALL INCLUDE A REQUIREMENT THAT THE  
26 LOCAL POLICE DEPARTMENT BE NOTIFIED IMMEDIATELY WHEN SUCH AN  
27 OFFENSE OCCURS.

28 (3) PROTOCOL FOR THE NOTIFICATION OF THE POLICE DEPARTMENT  
29 AT THE DISCRETION OF THE CHIEF SCHOOL ADMINISTRATOR REGARDING AN  
30 OFFENSE LISTED UNDER SECTION 1303-A(B) (4.2) OR ANY OTHER OFFENSE

1 THAT OCCURS ON SCHOOL PROPERTY.

2 (4) PROTOCOL FOR EMERGENCY AND NONEMERGENCY RESPONSE BY THE  
3 POLICE DEPARTMENT, WHICH SHALL INCLUDE A REQUIREMENT THAT THE  
4 SCHOOL DISTRICT SHALL SUPPLY THE POLICE DEPARTMENT WITH A COPY  
5 OF THE COMPREHENSIVE DISASTER RESPONSE AND EMERGENCY  
6 PREPAREDNESS PLAN AS REQUIRED BY 35 PA.C.S. § 7701(G) (RELATING  
7 TO DUTIES CONCERNING DISASTER PREVENTION).

8 (5) PROCEDURES AND PROTOCOLS FOR THE RESPONSE AND HANDLING  
9 OF STUDENTS WITH A DISABILITY, INCLUDING PROCEDURES RELATED TO  
10 STUDENT BEHAVIOR AS REQUIRED BY 22 PA. CODE §§ 14.104 (RELATING  
11 TO SPECIAL EDUCATION PLANS) AND 14.133 (RELATING TO POSITIVE  
12 BEHAVIOR SUPPORT).

13 (B) (1) IN PROMULGATING THE REGULATIONS REQUIRED UNDER  
14 SUBSECTION (A), THE STATE BOARD OF EDUCATION SHALL CONVENE AND  
15 CONSULT WITH A STATEWIDE ADVISORY COMMITTEE WHICH SHALL INCLUDE  
16 A POLICE CHIEF, JUVENILE PUBLIC DEFENDER, SCHOOL SUPERINTENDENT,  
17 SCHOOL PRINCIPAL, DISTRICT ATTORNEY, SOLICITOR OF A SCHOOL  
18 DISTRICT, SPECIAL EDUCATION SUPERVISOR, SPECIAL EDUCATION  
19 ADVOCATE AND IN-SCHOOL PROBATION OFFICER AND ONE DESIGNEE FROM  
20 THE DEPARTMENT OF EDUCATION, THE PENNSYLVANIA COMMISSION ON  
21 CRIME AND DELINQUENCY, THE MUNICIPAL POLICE OFFICERS' EDUCATION  
22 AND TRAINING COMMISSION, THE JUVENILE COURT JUDGES' COMMISSION  
23 AND THE PENNSYLVANIA STATE POLICE.

24 (2) MEMBERS OF THE COMMITTEE SHALL BE SELECTED TO BE  
25 REPRESENTATIVE OF THE RURAL, SUBURBAN AND URBAN SCHOOL ENTITIES  
26 OF THIS COMMONWEALTH.

27 (3) THE ADVISORY COMMITTEE SHALL BE CONVENED NO LATER THAN  
28 SIXTY (60) DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION AND  
29 SHALL MEET REGULARLY TO FULFILL THE REQUIREMENTS OF THIS  
30 SECTION.

1 SECTION 1303-A. REPORTING.-- (A) THE OFFICE SHALL CONDUCT A  
2 ONE-TIME SURVEY OF ALL SCHOOL ENTITIES TO DETERMINE THE NUMBER  
3 OF INCIDENTS INVOLVING ACTS OF VIOLENCE ON SCHOOL PROPERTY AND  
4 ALL CASES INVOLVING POSSESSION OF A WEAPON BY ANY PERSON ON  
5 SCHOOL PROPERTY WHICH OCCURRED WITHIN THE LAST FIVE (5) YEARS.  
6 THE SURVEY SHALL BE BASED ON THE BEST AVAILABLE INFORMATION  
7 PROVIDED BY SCHOOL ENTITIES.

8 (B) EACH CHIEF SCHOOL ADMINISTRATOR SHALL REPORT TO THE  
9 OFFICE BY JULY 31 OF EACH YEAR ALL NEW INCIDENTS INVOLVING ACTS  
10 OF VIOLENCE, POSSESSION OF A WEAPON OR POSSESSION, USE OR SALE  
11 OF CONTROLLED SUBSTANCES AS DEFINED IN THE ACT OF APRIL 14, 1972  
12 (P.L.233, NO.64), KNOWN AS "THE CONTROLLED SUBSTANCE, DRUG,  
13 DEVICE AND COSMETIC ACT," OR POSSESSION, USE OR SALE OF ALCOHOL  
14 OR TOBACCO BY ANY PERSON ON SCHOOL PROPERTY. THE INCIDENTS TO BE  
15 REPORTED TO THE OFFICE SHALL INCLUDE ALL INCIDENTS INVOLVING  
16 CONDUCT THAT CONSTITUTES A CRIMINAL OFFENSE LISTED UNDER  
17 PARAGRAPHS (4.1) AND (4.2). REPORTS ON A FORM TO BE DEVELOPED  
18 AND PROVIDED BY THE OFFICE SHALL INCLUDE:

19 (1) AGE OR GRADE OF STUDENT.

20 (2) NAME AND ADDRESS OF SCHOOL.

21 (3) CIRCUMSTANCES SURROUNDING THE INCIDENT, INCLUDING, BUT  
22 NOT LIMITED TO, TYPE OF WEAPON, CONTROLLED SUBSTANCE, ALCOHOL OR  
23 TOBACCO, THE DATE, TIME AND LOCATION OF THE INCIDENT, IF A  
24 PERSON OTHER THAN A STUDENT IS INVOLVED IN THE INCIDENT AND ANY  
25 RELATIONSHIP TO THE SCHOOL ENTITY.

26 (3.1) RACE OF STUDENT.

27 (3.2) WHETHER THE STUDENT HAS AN INDIVIDUALIZED EDUCATION  
28 PLAN UNDER THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT  
29 (PUBLIC LAW 91-230, 20 U.S.C. § 1400 ET SEQ.), AND IF SO, THE  
30 TYPE OF DISABILITY.

1 (4) SANCTION IMPOSED BY THE SCHOOL.

2 (4.1) A LIST OF CRIMINAL OFFENSES WHICH SHALL, AT A MINIMUM,

3 INCLUDE:

4 (I) THE FOLLOWING OFFENSES UNDER 18 PA.C.S. (RELATING TO

5 CRIMES AND OFFENSES) :

6 SECTION 908 (RELATING TO PROHIBITED OFFENSIVE WEAPONS).

7 SECTION 912 (RELATING TO POSSESSION OF WEAPON ON SCHOOL

8 PROPERTY).

9 CHAPTER 25 (RELATING TO CRIMINAL HOMICIDE).

10 SECTION 2702 (RELATING TO AGGRAVATED ASSAULT).

11 SECTION 2709.1 (RELATING TO STALKING).

12 SECTION 2901 (RELATING TO KIDNAPPING).

13 SECTION 2902 (RELATING TO UNLAWFUL RESTRAINT).

14 SECTION 3121 (RELATING TO RAPE).

15 SECTION 3122.1 (RELATING TO STATUTORY SEXUAL ASSAULT).

16 SECTION 3123 (RELATING TO INVOLUNTARY DEVIATE SEXUAL

17 INTERCOURSE).

18 SECTION 3124.1 (RELATING TO SEXUAL ASSAULT).

19 SECTION 3124.2 (RELATING TO INSTITUTIONAL SEXUAL ASSAULT).

20 SECTION 3125 (RELATING TO AGGRAVATED INDECENT ASSAULT).

21 SECTION 3126 (RELATING TO INDECENT ASSAULT).

22 SECTION 3301 (RELATING TO ARSON AND RELATED OFFENSES).

23 SECTION 3307 (RELATING TO INSTITUTIONAL VANDALISM) WHEN THE

24 PENALTY IS A FELONY OF THE THIRD DEGREE.

25 SECTION 3502 (RELATING TO BURGLARY).

26 SECTION 3503(A) AND (B) (1) (V) (RELATING TO CRIMINAL

27 TRESPASS).

28 SECTION 5501 (RELATING TO RIOT).

29 SECTION 6110.1 (RELATING TO POSSESSION OF FIREARM BY MINOR).

30 (II) THE POSSESSION, USE OR SALE OF A CONTROLLED SUBSTANCE



1 OR DRUG PARAPHERNALIA AS DEFINED IN "THE CONTROLLED SUBSTANCE,  
2 DRUG, DEVICE AND COSMETIC ACT."

3 (III) ATTEMPTS, SOLICITATION OR CONSPIRACY TO COMMIT ANY OF  
4 THE OFFENSES LISTED IN SUBCLAUSES (I) AND (II).

5 (IV) AN OFFENSE FOR WHICH REGISTRATION IS REQUIRED UNDER 42  
6 PA.C.S. § 9795.1 (RELATING TO REGISTRATION).

7 (4.2) THE FOLLOWING OFFENSES UNDER 18 PA.C.S., AND ANY  
8 ATTEMPT, SOLICITATION OR CONSPIRACY TO COMMIT ANY OF THESE  
9 OFFENSES:

10 SECTION 2701 (RELATING TO SIMPLE ASSAULT).

11 SECTION 2705 (RELATING TO RECKLESSLY ENDANGERING ANOTHER  
12 PERSON).

13 SECTION 2706 (RELATING TO TERRORISTIC THREATS).

14 SECTION 2709 (RELATING TO HARASSMENT).

15 SECTION 3127 (RELATING TO INDECENT EXPOSURE).

16 SECTION 3307 (RELATING TO INSTITUTIONAL VANDALISM) WHEN THE  
17 PENALTY IS A MISDEMEANOR OF THE SECOND DEGREE.

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

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

21 SECTION 5502 (RELATING TO FAILURE OF DISORDERLY PERSONS TO  
22 DISPERSE UPON OFFICIAL ORDER).

23 SECTION 5503 (RELATING TO DISORDERLY CONDUCT).

24 SECTION 6305 (RELATING TO SALE OF TOBACCO).

25 SECTION 6306.1 (RELATING TO USE OF TOBACCO IN SCHOOLS  
26 PROHIBITED).

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

29 (5) NOTIFICATION OF LAW ENFORCEMENT.

30 (6) REMEDIAL PROGRAMS INVOLVED.

1 (7) PARENTAL INVOLVEMENT REQUIRED.

2 (8) ARRESTS, CONVICTIONS AND ADJUDICATIONS, IF KNOWN.

3 (B.1) PRIOR TO SUBMITTING THE REPORT REQUIRED UNDER  
4 SUBSECTION (B), EACH CHIEF SCHOOL ADMINISTRATOR AND EACH POLICE  
5 DEPARTMENT HAVING JURISDICTION OVER SCHOOL PROPERTY OF THE  
6 SCHOOL ENTITY SHALL DO ALL OF THE FOLLOWING:

7 (1) NO LATER THAN THIRTY (30) DAYS PRIOR TO THE DEADLINE FOR  
8 SUBMITTING THE REPORT TO THE OFFICE REQUIRED UNDER SUBSECTION  
9 (B), THE CHIEF SCHOOL ADMINISTRATOR SHALL SUBMIT THE REPORT TO  
10 THE POLICE DEPARTMENT WITH JURISDICTION OVER THE RELEVANT SCHOOL  
11 PROPERTY. THE POLICE DEPARTMENT SHALL REVIEW THE REPORT AND  
12 COMPARE THE DATA REGARDING CRIMINAL OFFENSES AND NOTIFICATION OF  
13 LAW ENFORCEMENT TO DETERMINE WHETHER THE REPORT ACCURATELY  
14 REFLECTS POLICE INCIDENT DATA.

15 (2) NO LATER THAN FIFTEEN (15) DAYS PRIOR TO THE DEADLINE  
16 FOR THE CHIEF SCHOOL ADMINISTRATOR TO SUBMIT THE REPORT REQUIRED  
17 UNDER SUBSECTION (B), THE POLICE DEPARTMENT SHALL NOTIFY THE  
18 CHIEF SCHOOL ADMINISTRATOR, IN WRITING, WHETHER THE REPORT  
19 ACCURATELY REFLECTS POLICE INCIDENT DATA. WHERE THE POLICE  
20 DEPARTMENT DETERMINES THAT THE REPORT ACCURATELY REFLECTS POLICE  
21 INCIDENT DATA, THE CHIEF OF POLICE SHALL SIGN THE REPORT. WHERE  
22 THE POLICE DEPARTMENT DETERMINES THAT THE REPORT DOES NOT  
23 ACCURATELY REFLECT POLICE INCIDENT DATA, THE POLICE DEPARTMENT  
24 SHALL INDICATE ANY DISCREPANCIES BETWEEN THE REPORT AND POLICE  
25 INCIDENT DATA.

26 (3) PRIOR TO SUBMITTING THE REPORT REQUIRED UNDER SUBSECTION  
27 (B), THE CHIEF SCHOOL ADMINISTRATOR AND THE POLICE DEPARTMENT  
28 SHALL ATTEMPT TO RESOLVE DISCREPANCIES BETWEEN THE REPORT AND  
29 POLICE INCIDENT DATA. WHERE A DISCREPANCY REMAINS UNRESOLVED,  
30 THE POLICE DEPARTMENT SHALL NOTIFY THE CHIEF SCHOOL

1 ADMINISTRATOR AND THE OFFICE IN WRITING.

2 (4) WHERE A POLICE DEPARTMENT FAILS TO TAKE ACTION AS  
3 REQUIRED UNDER PARAGRAPH (2) OR (3), THE CHIEF SCHOOL  
4 ADMINISTRATOR SHALL SUBMIT THE REPORT REQUIRED UNDER SUBSECTION  
5 (B) AND INDICATE THAT THE POLICE DEPARTMENT FAILED TO TAKE  
6 ACTION AS REQUIRED UNDER PARAGRAPH (2) OR (3).

7 (C) EACH CHIEF SCHOOL ADMINISTRATOR SHALL FORM AN ADVISORY  
8 COMMITTEE COMPOSED OF RELEVANT SCHOOL STAFF, INCLUDING, BUT NOT  
9 LIMITED TO, PRINCIPALS, SECURITY PERSONNEL, SCHOOL RESOURCE  
10 OFFICERS, GUIDANCE COUNSELORS AND SPECIAL EDUCATION  
11 ADMINISTRATORS, TO ASSIST IN THE DEVELOPMENT OF A MEMORANDUM OF  
12 UNDERSTANDING PURSUANT TO THIS SECTION. IN CONSULTATION WITH THE  
13 ADVISORY COMMITTEE, EACH CHIEF SCHOOL ADMINISTRATOR SHALL ENTER  
14 INTO A MEMORANDUM OF UNDERSTANDING WITH POLICE DEPARTMENTS  
15 HAVING JURISDICTION OVER SCHOOL PROPERTY OF THE SCHOOL ENTITY.  
16 EACH CHIEF SCHOOL ADMINISTRATOR SHALL SUBMIT A COPY OF THE  
17 MEMORANDUM OF UNDERSTANDING TO THE OFFICE BY JUNE 30, 2011, AND  
18 BIENNIALLY UPDATE AND RE-EXECUTE A MEMORANDUM OF UNDERSTANDING  
19 WITH LOCAL LAW ENFORCEMENT AND FILE SUCH MEMORANDUM WITH THE  
20 OFFICE ON A BIENNIAL BASIS. THE MEMORANDUM OF UNDERSTANDING  
21 SHALL BE SIGNED BY THE CHIEF SCHOOL ADMINISTRATOR, THE CHIEF OF  
22 POLICE OF THE POLICE DEPARTMENT WITH JURISDICTION OVER THE  
23 RELEVANT SCHOOL PROPERTY AND PRINCIPALS OF EACH SCHOOL BUILDING  
24 OF THE SCHOOL ENTITY. THE MEMORANDUM OF UNDERSTANDING SHALL  
25 COMPLY WITH THE REGULATIONS PROMULGATED BY THE STATE BOARD OF  
26 EDUCATION UNDER SECTION 1302.1-A AND SHALL ALSO INCLUDE:

27 (1) THE PROCEDURE FOR POLICE DEPARTMENT REVIEW OF THE ANNUAL  
28 REPORT REQUIRED UNDER SUBSECTION (B) PRIOR TO THE CHIEF SCHOOL  
29 ADMINISTRATOR FILING THE REPORT REQUIRED UNDER SUBSECTION (B)  
30 WITH THE OFFICE.

1 (2) A PROCEDURE FOR THE RESOLUTION OF SCHOOL VIOLENCE DATA  
2 DISCREPANCIES IN THE REPORT PRIOR TO FILING THE REPORT REQUIRED  
3 UNDER SUBSECTION (B) WITH THE OFFICE.

4 (3) ADDITIONAL MATTERS PERTAINING TO CRIME PREVENTION AGREED  
5 TO BETWEEN THE CHIEF SCHOOL ADMINISTRATOR AND THE POLICE  
6 DEPARTMENT.

7 (D) PURSUANT TO SECTION 615 OF THE INDIVIDUALS WITH  
8 DISABILITIES EDUCATION ACT (PUBLIC LAW 91-230, 20 U.S.C. §  
9 1415(K)(6)), NOTHING IN SECTION 1302.1-A OR THIS SECTION SHALL  
10 BE CONSTRUED TO PROHIBIT A SCHOOL ENTITY FROM REPORTING A CRIME  
11 COMMITTED BY A CHILD WITH A DISABILITY TO APPROPRIATE  
12 AUTHORITIES OR TO PREVENT STATE LAW ENFORCEMENT AND JUDICIAL  
13 AUTHORITIES FROM EXERCISING THEIR RESPONSIBILITIES WITH REGARD  
14 TO THE APPLICATION OF FEDERAL AND STATE LAW TO CRIMES COMMITTED  
15 BY A CHILD WITH A DISABILITY.

16 (E) (1) NOTWITHSTANDING ANY PROVISION OF LAW TO THE  
17 CONTRARY, THE DEPARTMENT OF EDUCATION MAY INITIATE DISCIPLINARY  
18 ACTION BEFORE THE PROFESSIONAL STANDARDS AND PRACTICES  
19 COMMISSION PURSUANT TO THE ACT OF DECEMBER 12, 1973 (P.L.397,  
20 NO.141), KNOWN AS THE "PROFESSIONAL EDUCATOR DISCIPLINE ACT,"  
21 AGAINST A CHIEF SCHOOL ADMINISTRATOR OR PRINCIPAL OF A SCHOOL  
22 ENTITY WHO INTENTIONALLY FAILS TO SUBMIT THE REPORT AS REQUIRED  
23 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 LISTED  
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.

2 (2) IN ADDITION TO ANY OTHER DISCIPLINARY ACTIONS SET FORTH  
3 IN THE "PROFESSIONAL EDUCATOR DISCIPLINE ACT," A CHIEF SCHOOL  
4 ADMINISTRATOR OR PRINCIPAL OF A SCHOOL ENTITY WHO INTENTIONALLY  
5 FAILS TO SUBMIT THE REPORT AS REQUIRED UNDER SUBSECTION (B) OR  
6 ENTER INTO THE MEMORANDUM OF UNDERSTANDING WITH THE POLICE  
7 DEPARTMENT WITH JURISDICTION OVER THE RELEVANT SCHOOL PROPERTY,  
8 REPORT AN INCIDENT INVOLVING AN ACT OF VIOLENCE, POSSESSION OF A  
9 WEAPON OR AN OFFENSE CITED UNDER SUBSECTION (B) (4.1) THAT OCCURS  
10 ON SCHOOL PROPERTY TO A POLICE DEPARTMENT OR SUBMIT A COPY OF  
11 THE MEMORANDUM OF UNDERSTANDING TO THE OFFICE AS REQUIRED UNDER  
12 SUBSECTION (C) OR WHO INTENTIONALLY FALSIFIES A REPORT SUBMITTED  
13 AS REQUIRED UNDER THIS SECTION SHALL BE SUBJECT TO PROSECUTION  
14 FOR VIOLATION OF 18 PA.C.S. § 4904 (RELATING TO UNSWORN  
15 FALSIFICATION TO AUTHORITIES). THE FOLLOWING CIVIL PENALTIES MAY  
16 BE IMPOSED BY THE PROFESSIONAL STANDARDS AND PRACTICES  
17 COMMISSION FOR VIOLATIONS OF THIS ARTICLE:

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

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

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

21 ANY PENALTY IMPOSED UNDER THIS PARAGRAPH SHALL BE PAID TO THE  
22 DEPARTMENT OF EDUCATION AND USED FOR THE SUPPORT OF THE OFFICE.]

23 SECTION 9. SECTIONS 1303.1-A(C) AND (D) AND 1307-A OF THE  
24 ACT ARE AMENDED TO READ:

25 SECTION 1303.1-A. POLICY RELATING TO BULLYING.--\* \* \*

26 (C) EACH SCHOOL ENTITY SHALL REVIEW ITS POLICY EVERY THREE  
27 (3) YEARS AND ANNUALLY PROVIDE THE [OFFICE] DEPARTMENT OF  
28 EDUCATION WITH A COPY OF ITS POLICY RELATING TO BULLYING,  
29 INCLUDING INFORMATION RELATED TO THE DEVELOPMENT AND  
30 IMPLEMENTATION OF ANY BULLYING PREVENTION, INTERVENTION AND

1 EDUCATION PROGRAMS. THE INFORMATION REQUIRED UNDER THIS  
2 SUBSECTION SHALL BE ATTACHED TO OR MADE PART OF THE ANNUAL  
3 REPORT REQUIRED UNDER SECTION [1303-A(B)] 1319-B(B).

4 (D) IN ITS POLICY RELATING TO BULLYING ADOPTED OR MAINTAINED  
5 UNDER SUBSECTION (A), A SCHOOL ENTITY SHALL NOT BE PROHIBITED  
6 FROM DEFINING BULLYING IN SUCH A WAY AS TO ENCOMPASS ACTS THAT  
7 OCCUR OUTSIDE A SCHOOL SETTING IF THOSE ACTS MEET THE  
8 REQUIREMENTS CONTAINED IN SUBSECTION (E) (1), (3) AND (4). IF A  
9 SCHOOL ENTITY REPORTS ACTS OF BULLYING TO THE [OFFICE]  
10 DEPARTMENT OF EDUCATION IN ACCORDANCE WITH SECTION [1303-A(B)]  
11 1319-B(B), IT SHALL REPORT ALL INCIDENTS THAT QUALIFY AS  
12 BULLYING UNDER THE ENTITY'S ADOPTED DEFINITION OF THAT TERM.

13 \* \* \*

14 SECTION 1307-A. MAINTENANCE OF RECORDS.--ALL SCHOOL ENTITIES  
15 AND PRIVATE SCHOOLS WITHIN THIS COMMONWEALTH SHALL MAINTAIN  
16 UPDATED RECORDS OF ALL INCIDENTS OF VIOLENCE, INCIDENTS  
17 INVOLVING POSSESSION OF A WEAPON AND CONVICTIONS OR  
18 ADJUDICATIONS OF DELINQUENCY FOR ACTS COMMITTED ON SCHOOL  
19 PROPERTY BY STUDENTS ENROLLED THEREIN ON BOTH A DISTRICT-WIDE  
20 AND SCHOOL-BY-SCHOOL BASIS. RECORDS MAINTAINED UNDER THIS  
21 SECTION SHALL BE CONTAINED IN A FORMAT DEVELOPED BY THE  
22 PENNSYLVANIA STATE POLICE IN COOPERATION WITH THE [OFFICE WITHIN  
23 NINETY (90) DAYS OF THE EFFECTIVE DATE OF THIS SECTION]  
24 DEPARTMENT OF EDUCATION. A STATISTICAL SUMMARY OF THESE RECORDS  
25 SHALL BE MADE ACCESSIBLE TO THE PUBLIC FOR EXAMINATION BY THE  
26 PUBLIC DURING REGULAR BUSINESS HOURS.

27 SECTION 10. SECTIONS 1310-A, 1311-A, 1312-A AND 1313-A OF  
28 THE ACT ARE REPEALED:

29 [SECTION 1310-A. SAFE SCHOOLS ADVOCATE IN SCHOOL DISTRICTS  
30 OF THE FIRST CLASS.--(A) THE EXECUTIVE DIRECTOR OF THE

1 PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY SHALL  
2 ESTABLISH, WITHIN THE COMMISSION, A SAFE SCHOOLS ADVOCATE FOR  
3 EACH SCHOOL DISTRICT OF THE FIRST CLASS. THE ADVOCATE SHALL NOT  
4 BE SUBJECT TO THE ACT OF AUGUST 5, 1941 (P.L.752, NO.286), KNOWN  
5 AS THE "CIVIL SERVICE ACT." THE ADVOCATE SHALL ESTABLISH AND  
6 MAINTAIN AN OFFICE WITHIN THE SCHOOL DISTRICT.

7 (B) THE SAFE SCHOOLS ADVOCATE SHALL HAVE THE POWER AND ITS  
8 DUTIES SHALL BE:

9 (1) TO MONITOR THE SCHOOL DISTRICT'S COMPLIANCE WITH THIS  
10 ARTICLE, INCLUDING:

11 (I) THE SCHOOL DISTRICT'S REPORTING TO THE OFFICE OF  
12 INCIDENTS INVOLVING ACTS OF VIOLENCE, POSSESSION OF A WEAPON OR  
13 POSSESSION, USE OR SALE OF CONTROLLED SUBSTANCES AS DEFINED IN  
14 THE ACT OF APRIL 14, 1972 (P.L.233, NO.64), KNOWN AS "THE  
15 CONTROLLED SUBSTANCE, DRUG, DEVICE AND COSMETIC ACT," OR  
16 POSSESSION, USE OR SALE OF ALCOHOL OR TOBACCO BY ANY PERSON ON  
17 SCHOOL PROPERTY;

18 (II) OBTAINING COPIES OF THE SCHOOL DISTRICT'S REPORTS TO  
19 THE OFFICE AND REVIEWING AND ANALYZING THEM;

20 (III) THE SCHOOL DISTRICT'S COMPLIANCE WITH THE PROCEDURES  
21 SET FORTH IN THE MEMORANDUM OF UNDERSTANDING WITH THE  
22 APPROPRIATE POLICE DEPARTMENT REGARDING INCIDENTS INVOLVING ACTS  
23 OF VIOLENCE AND POSSESSION OF WEAPONS; AND

24 (IV) OBTAINING DOCUMENTATION, ON A WEEKLY BASIS DURING THOSE  
25 TIMES WHEN SCHOOL IS IN SESSION, OF ALL WRITTEN OR VERBAL  
26 CONTACTS BY SCHOOL DISTRICT PERSONNEL WITH THE APPROPRIATE  
27 POLICE DEPARTMENT CONSISTENT WITH THE REQUIREMENTS OF THE  
28 MEMORANDUM OF UNDERSTANDING.

29 (2) TO MONITOR THE SCHOOL DISTRICT'S COMPLIANCE WITH THE  
30 MANDATORY EXPULSION REQUIREMENTS OF SECTIONS 1317.2 AND 1318.1.

1 (3) TO RECEIVE INQUIRIES FROM SCHOOL STAFF AND PARENTS OR  
2 GUARDIANS OF STUDENTS WHO ARE VICTIMS OF ACTS OF VIOLENCE ON  
3 SCHOOL PROPERTY.

4 (4) TO ESTABLISH A PROTOCOL, IN CONSULTATION WITH THE  
5 JUVENILE COURT JUDGES' COMMISSION, TO ASSURE TIMELY RECEIPT BY  
6 THE SCHOOL DISTRICT OF INFORMATION REGARDING STUDENTS WHO HAVE  
7 BEEN ADJUDICATED DELINQUENT PURSUANT TO 42 PA.C.S. § 6341(B.1)  
8 (RELATING TO ADJUDICATION) AND TO MONITOR THE SCHOOL DISTRICT'S  
9 USE OF THAT INFORMATION TO ENSURE THAT VICTIMS OF ACTS OF  
10 VIOLENCE BY A STUDENT ARE PROTECTED.

11 (5) TO ESTABLISH A PROGRAM TO ASSURE EXTENSIVE AND  
12 CONTINUING PUBLIC AWARENESS OF INFORMATION REGARDING THE ROLE OF  
13 THE ADVOCATE ON BEHALF OF VICTIMS OF ACTS OF VIOLENCE ON SCHOOL  
14 PROPERTY, WHICH MAY INCLUDE THE MAILING OF INFORMATION TO THE  
15 PARENTS OR GUARDIANS OF STUDENTS IN THE SCHOOL DISTRICT OR OTHER  
16 FORMS OF COMMUNICATION.

17 (6) TO REVIEW AND ANALYZE FEDERAL AND STATE STATUTES WHICH  
18 MAY BE AN IMPEDIMENT TO SCHOOL SAFETY AND THE IMPOSITION OF  
19 DISCIPLINE FOR THE COMMISSION OF ACTS OF VIOLENCE ON SCHOOL  
20 PROPERTY AND TO PREPARE, BY APRIL 30, 2001, AND AS NECESSARY  
21 FROM TIME TO TIME THEREAFTER, REPORTS MAKING RECOMMENDATIONS FOR  
22 CHANGES TO THE STATUTES WHICH WOULD PROMOTE SCHOOL SAFETY AND  
23 FACILITATE EFFECTIVE AND EXPEDIENT DISCIPLINARY ACTION. THE  
24 REPORTS SHALL BE SUBMITTED TO THE SECRETARY AND THE EXECUTIVE  
25 DIRECTOR OF THE PENNSYLVANIA COMMISSION ON CRIME AND  
26 DELINQUENCY.

27 (7) TO REVIEW AND ANALYZE COURT DECISIONS APPLICABLE TO THE  
28 SCHOOL DISTRICT'S DISCIPLINARY PROCESS AND PROCEDURES, TO MAKE  
29 RECOMMENDATIONS TO THE SCHOOL DISTRICT REGARDING ANY NEGATIVE  
30 IMPACT THESE DECISIONS HAVE UPON THE EFFECTIVE MAINTENANCE OF



1 SCHOOL SAFETY AND TO MAKE RECOMMENDATIONS RELATING TO THE  
2 EXISTING PROVISIONS OF CONSENT DECREES.

3 (8) TO PREPARE AN ANNUAL REPORT REGARDING THE ACTIVITIES OF  
4 THE ADVOCATE DURING THE PRIOR FISCAL YEAR AND ANY  
5 RECOMMENDATIONS FOR REMEDIAL LEGISLATION, REGULATIONS OR SCHOOL  
6 DISTRICT ADMINISTRATIVE REFORMS, WHICH SHALL BE SUBMITTED TO THE  
7 SCHOOL DISTRICT SUPERINTENDENT, THE SECRETARY, THE EXECUTIVE  
8 DIRECTOR OF THE PENNSYLVANIA COMMISSION ON CRIME AND  
9 DELINQUENCY, THE CHAIRPERSON OF THE EDUCATION COMMITTEE OF THE  
10 SENATE AND THE CHAIRPERSON OF THE EDUCATION COMMITTEE OF THE  
11 HOUSE OF REPRESENTATIVES BY AUGUST 15 OF EACH YEAR.

12 (9) TO MONITOR INFRACTIONS OF THE SCHOOL DISTRICT'S CODE OF  
13 CONDUCT TO IDENTIFY STUDENTS WHOSE CONDUCT WOULD CONSTITUTE AN  
14 OFFENSE UNDER 18 PA.C.S. § 2701 (RELATING TO SIMPLE ASSAULT).

15 (C) THE SAFE SCHOOLS ADVOCATE SHALL, ON BEHALF OF VICTIMS OF  
16 ACTS OF VIOLENCE ON SCHOOL PROPERTY, VICTIMS OF CONDUCT THAT  
17 WOULD CONSTITUTE AN ACT OF VIOLENCE AND VICTIMS OF STUDENTS WHO  
18 HAVE COMMITTED TWO OR MORE INFRACTIONS AS SET FORTH IN  
19 SUBSECTION (B) (9) :

20 (1) PROVIDE ASSISTANCE AND ADVICE, INCLUDING INFORMATION ON  
21 SUPPORT SERVICES PROVIDED BY VICTIM ASSISTANCE OFFICES OF THE  
22 APPROPRIATE DISTRICT ATTORNEY AND THROUGH LOCAL COMMUNITY-BASED  
23 VICTIM SERVICE AGENCIES;

24 (2) PROVIDE INFORMATION TO THE PARENT OR GUARDIAN OF THE  
25 STUDENT VICTIM REGARDING THE DISCIPLINARY PROCESS AND ANY ACTION  
26 ULTIMATELY TAKEN AGAINST THE STUDENT ACCUSED OF COMMITTING THE  
27 ACT OF VIOLENCE;

28 (3) IN CASES INVOLVING THE POSSESSION OR USE OF A WEAPON,  
29 ADVISE THE PARENT OR GUARDIAN OF THE VICTIM WHETHER THE SCHOOL  
30 DISTRICT PROPERLY EXERCISED ITS DUTY UNDER SECTION 1317.2;

1 (4) IN CASES WHERE THE ADVOCATE HAS RECEIVED A REQUEST BY  
2 THE PARENT OR GUARDIAN OF THE VICTIM, TO ATTEND FORMAL  
3 DISCIPLINARY PROCEEDINGS;

4 (5) WITH THE CONSENT OF THE PARENT OR GUARDIAN OF THE  
5 VICTIM, PRESENT INFORMATION IN THE DISCIPLINARY PROCEEDING,  
6 WHICH MAY INCLUDE ORAL OR WRITTEN PRESENTATIONS, INCLUDING  
7 TESTIMONY BY THE VICTIM OR THE PARENT OR GUARDIAN OF THE VICTIM,  
8 REGARDING THE IMPACT ON THE VICTIM AND THE VICTIM'S FAMILY AND  
9 THE APPROPRIATE DISCIPLINARY ACTION AND WHICH MAY INCLUDE DIRECT  
10 OR CROSS-EXAMINATION OF WITNESSES;

11 (6) WHERE THE PERPETRATOR OF AN ACT OF VIOLENCE IS RETURNING  
12 TO SCHOOL AFTER PLACEMENT UNDER A CONSENT DECREE, ADJUDICATION  
13 OF DELINQUENCY OR CONVICTION OF A CRIMINAL OFFENSE, ASSIST THE  
14 PARENT OR GUARDIAN OF THE VICTIM IN PROVIDING INPUT TO THE  
15 SCHOOL DISTRICT AND THE APPROPRIATE JUVENILE OR CRIMINAL JUSTICE  
16 AUTHORITY TO ENSURE THE VICTIM'S SAFETY ON SCHOOL PROPERTY;

17 (7) IN CASES WHERE THE DISTRICT HAS FAILED TO REPORT THE ACT  
18 OF VIOLENCE TO THE APPROPRIATE POLICE DEPARTMENT AS REQUIRED BY  
19 THE MEMORANDUM OF UNDERSTANDING, TO REPORT SUCH ACT OF VIOLENCE  
20 DIRECTLY; AND

21 (8) PROVIDE INFORMATION AND MAKE RECOMMENDATIONS TO THE  
22 OFFICE OF THE DISTRICT ATTORNEY REGARDING THE IMPACT OF THE ACT  
23 OF VIOLENCE ON THE VICTIM AND THE VICTIM'S FAMILY.

24 (D) UPON DISCOVERY OF THE COMMISSION OF AN ACT OF VIOLENCE  
25 UPON A STUDENT, THE SCHOOL DISTRICT OF THE FIRST CLASS SHALL  
26 IMMEDIATELY NOTIFY THE VICTIM'S PARENT OR GUARDIAN OF THE SAFE  
27 SCHOOLS ADVOCATE. THE FORM OF THIS NOTICE SHALL BE DEVELOPED BY  
28 THE ADVOCATE AND PROVIDED TO THE SCHOOL DISTRICT. THIS FORM  
29 SHALL INCLUDE THE ADDRESS AND TELEPHONE NUMBER OF THE ADVOCATE  
30 AND A BRIEF DESCRIPTION OF THE PURPOSES AND FUNCTIONS OF THE

1 SAFE SCHOOLS ADVOCATE. THE PRINCIPAL OF EACH SCHOOL WITHIN THE  
2 SCHOOL DISTRICT SHALL POST A NOTICE NOT LESS THAN 8 1/2 BY 11  
3 INCHES ENTITLED "SAFE SCHOOLS ADVOCATE" AT A PROMINENT LOCATION  
4 WITHIN EACH SCHOOL BUILDING, WHERE SUCH NOTICES ARE USUALLY  
5 POSTED. THE FORM OF THIS NOTICE SHALL ALSO BE DEVELOPED BY THE  
6 ADVOCATE AND PROVIDED TO THE SCHOOL DISTRICT.

7 (E) IT SHALL BE THE DUTY OF EACH SCHOOL ADMINISTRATOR IN A  
8 SCHOOL DISTRICT OF THE FIRST CLASS TO COOPERATE WITH THE SAFE  
9 SCHOOLS ADVOCATE TO IMPLEMENT THIS SECTION AND TO PROVIDE THE  
10 ADVOCATE, UPON REQUEST, WITH ALL AVAILABLE INFORMATION  
11 AUTHORIZED BY STATE LAW. IN REGARD TO INDIVIDUAL CASES OF ACTS  
12 OF VIOLENCE, ONLY INFORMATION PERMITTED TO BE SHARED UNDER  
13 SUBSECTION (F) SHALL BE DISCLOSED.

14 (F) THE ADVOCATE AND ALL EMPLOYEES AND AGENTS OF THE SAFE  
15 SCHOOLS ADVOCATE SHALL BE SUBJECT TO AND BOUND BY SECTION 444 OF  
16 THE GENERAL EDUCATION PROVISIONS ACT (PUBLIC LAW 90-247, 20  
17 U.S.C. § 1232G) AND 34 CFR PT. 99 (RELATING TO FAMILY  
18 EDUCATIONAL RIGHTS AND PRIVACY).

19 (G) THIS SECTION SHALL NOT APPLY TO THE EXTENT THAT IT WOULD  
20 CONFLICT WITH THE REQUIREMENTS OF THE INDIVIDUALS WITH  
21 DISABILITIES EDUCATION ACT (PUBLIC LAW 91-230, 20 U.S.C. § 1400  
22 ET SEQ.) OR OTHER APPLICABLE FEDERAL STATUTE OR REGULATION.

23 (H) AS USED IN THIS SECTION:

24 "ACT OF VIOLENCE" SHALL MEAN THE POSSESSION OF A WEAPON ON  
25 SCHOOL PROPERTY OR AN OFFENSE, INCLUDING THE ATTEMPT,  
26 SOLICITATION OR CONSPIRACY TO COMMIT THE OFFENSE, UNDER ANY OF  
27 THE FOLLOWING PROVISIONS OF 18 PA.C.S. (RELATING TO CRIMES AND  
28 OFFENSES):

29 (1) SECTION 2501 (RELATING TO CRIMINAL HOMICIDE).

30 (2) SECTION 2702 (RELATING TO AGGRAVATED ASSAULT).

1 (3) SECTION 3121 (RELATING TO RAPE) .

2 (4) SECTION 3122.1 (RELATING TO STATUTORY SEXUAL ASSAULT) .

3 (5) SECTION 3123 (RELATING TO INVOLUNTARY DEVIATE SEXUAL  
4 INTERCOURSE) .

5 (6) SECTION 3124.1 (RELATING TO SEXUAL ASSAULT) .

6 (7) SECTION 3125 (RELATING TO AGGRAVATED INDECENT ASSAULT) .

7 (8) SECTION 3126 (RELATING TO INDECENT ASSAULT) .

8 (9) SECTION 3301 (RELATING TO ARSON AND RELATED OFFENSES) .

9 (10) SECTION 3701 (RELATING TO ROBBERY) .

10 (11) SECTION 3702 (RELATING TO ROBBERY OF MOTOR VEHICLE) .

11 "SCHOOL DISTRICT" SHALL MEAN SCHOOL DISTRICT OF THE FIRST  
12 CLASS .

13 (I) AT LEAST EIGHTY PER CENTUM (80%) OF ALL APPROPRIATIONS  
14 FOR THE OFFICE OF SAFE SCHOOLS ADVOCATE IN FISCAL YEAR 2006-2007  
15 SHALL BE EXPENDED BY JUNE 30, 2007, AND THE REMAINING BALANCE OF  
16 THE APPROPRIATION SHALL BE COMMITTED OR ENCUMBERED BY JUNE 30,  
17 2007 .

18 SECTION 1311-A. STANDING.-- (A) IF A STUDENT IN A SCHOOL  
19 DISTRICT OF THE FIRST CLASS IS A VICTIM OF AN ACT OF VIOLENCE  
20 INVOLVING A WEAPON ON SCHOOL PROPERTY AND THE STUDENT WHO  
21 POSSESSED THE WEAPON WAS NOT EXPELLED UNDER SECTION 1317.2, THE  
22 PARENT OR GUARDIAN OF THE VICTIM SHALL HAVE STANDING TO  
23 INSTITUTE A LEGAL PROCEEDING TO OBTAIN EXPULSION OF THE STUDENT .

24 (B) THE OFFICE OF GENERAL COUNSEL SHALL HAVE STANDING TO  
25 BRING AN ACTION ON BEHALF OF A VICTIM OR THE PARENT OR GUARDIAN  
26 OF A VICTIM OF AN ACT OF VIOLENCE IN A SCHOOL IN A SCHOOL  
27 DISTRICT OF THE FIRST CLASS TO MODIFY, CLARIFY OR ELIMINATE A  
28 CONSENT DECREE THAT IS RELATED TO DISCIPLINE IN THE DISTRICT IF,  
29 IN CONSULTATION WITH THE ADVOCATE, THE OFFICE OF GENERAL COUNSEL  
30 BELIEVES THAT THE ACTION IS IN THE BEST INTERESTS OF THE

1 STUDENTS OF THE SCHOOL DISTRICT.

2 (C) (1) THE EXECUTIVE DIRECTOR OF THE PENNSYLVANIA  
3 COMMISSION ON CRIME AND DELINQUENCY IN CONSULTATION WITH THE  
4 GENERAL COUNSEL MAY DESIGNATE A PORTION OF THE FUNDS PROVIDED  
5 FOR THE SAFE SCHOOLS ADVOCATE:

6 (I) FOR CONTRACTS FOR LEGAL SERVICES TO ASSIST LOW-INCOME  
7 PARENTS OR GUARDIANS OF VICTIMS TO OBTAIN LEGAL SERVICES FOR  
8 PROCEEDINGS UNDER SUBSECTION (A).

9 (II) TO CHALLENGE A CONSENT DECREE UNDER SUBSECTION (B) OR  
10 TO BRING AN ACTION UNDER SECTIONS 1310-A(C) (5) AND 1312-A(A).

11 (2) THE DESIGNATION OF ATTORNEYS TO RECEIVE FUNDS UNDER THIS  
12 SUBSECTION SHALL BE WITHIN THE DISCRETION OF THE OFFICE OF  
13 GENERAL COUNSEL AFTER CONSULTATION WITH THE SAFE SCHOOLS  
14 ADVOCATE.

15 (3) DESIGNATED FUNDS WHICH ARE NOT EXPENDED UNDER THIS  
16 SUBSECTION SHALL LAPSE TO THE GENERAL FUND.

17 (D) LEGAL PROCEEDINGS UNDER THIS SECTION SHALL BE CONDUCTED  
18 BY AN ATTORNEY DESIGNATED BY THE OFFICE OF GENERAL COUNSEL IN  
19 CONSULTATION WITH THE SAFE SCHOOLS ADVOCATE. THE ATTORNEY MUST  
20 BE A MEMBER OF THE BAR IN GOOD STANDING.

21 (F) AS USED IN THIS SECTION, "LOW-INCOME PARENT OR GUARDIAN"  
22 SHALL MEAN A PARENT WHOSE FAMILY INCOME IS NO GREATER THAN TWO  
23 HUNDRED FIFTY PER CENTUM (250%) OF THE FEDERAL POVERTY LEVEL.

24 SECTION 1312-A. ENFORCEMENT.-- (A) (1) IF THE SCHOOL  
25 DISTRICT OF THE FIRST CLASS FAILS TO COMPLY WITH REQUIREMENTS TO  
26 PROVIDE INFORMATION TO THE SAFE SCHOOLS ADVOCATE UNDER SECTION  
27 1310-A, THE ADVOCATE SHALL PROVIDE DOCUMENTATION OF THE FAILURE  
28 TO THE SECRETARY OF EDUCATION AND THE PENNSYLVANIA COMMISSION ON  
29 CRIME AND DELINQUENCY.

30 (2) IF THE SECRETARY DETERMINES THAT THERE IS

1 NONCOMPLIANCE, THE SECRETARY SHALL NOTIFY THE ADVOCATE AND THE  
2 OFFICE OF GENERAL COUNSEL. THE OFFICE OF GENERAL COUNSEL, IN  
3 CONSULTATION WITH THE SAFE SCHOOLS ADVOCATE, SHALL DESIGNATE AN  
4 ATTORNEY TO BRING AN ACTION IN A COURT OF COMPETENT JURISDICTION  
5 TO ENFORCE SECTION 1310-A.

6 (3) IF THE SECRETARY DETERMINES THAT THE SCHOOL DISTRICT OF  
7 THE FIRST CLASS HAS COMPLIED WITH THE REQUIREMENTS TO PROVIDE  
8 INFORMATION TO THE SAFE SCHOOLS ADVOCATE UNDER SECTION 1310-A,  
9 THE SECRETARY SHALL CONVENE A PUBLIC HEARING AT WHICH THE SAFE  
10 SCHOOLS ADVOCATE SHALL BE PERMITTED TO TESTIFY REGARDING THE  
11 ALLEGED NONCOMPLIANCE.

12 (B) LEGAL PROCEEDINGS UNDER SUBSECTION (A) SHALL BE  
13 CONDUCTED BY AN ATTORNEY DESIGNATED BY THE OFFICE OF GENERAL  
14 COUNSEL IN CONSULTATION WITH THE SAFE SCHOOLS ADVOCATE. THE  
15 ATTORNEY MUST BE A MEMBER OF THE BAR IN GOOD STANDING.

16 SECTION 1313-A. CONSTRUCTION OF ARTICLE AND OTHER LAWS.--  
17 NOTHING IN THIS ARTICLE OR ANY OTHER PROVISION OF LAW SHALL BE  
18 CONSTRUED AS GRANTING A RIGHT OF STATUS FOR OR PARTICIPATION BY  
19 THE SAFE SCHOOLS ADVOCATE IN A GRIEVANCE OR ARBITRATION  
20 PROCEEDING ARISING OUT OF A COLLECTIVE BARGAINING AGREEMENT.]

21 SECTION 11. SECTION 1301-B OF THE ACT IS AMENDED BY ADDING  
22 DEFINITIONS TO READ:

23 SECTION 1301-B. DEFINITIONS.

24 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE  
25 SHALL HAVE THE MEANING GIVEN TO THEM IN THIS SECTION UNLESS THE  
26 CONTEXT CLEARLY INDICATES OTHERWISE:

27 "CHIEF SCHOOL ADMINISTRATOR." THE SUPERINTENDENT OF A PUBLIC  
28 SCHOOL DISTRICT, SUPERINTENDENT OF AN AREA CAREER AND TECHNICAL  
29 SCHOOL, EXECUTIVE DIRECTOR OF AN INTERMEDIATE UNIT OR CHIEF  
30 EXECUTIVE OFFICER OF A CHARTER SCHOOL.

1 \* \* \*

2 "DEPARTMENT." THE DEPARTMENT OF EDUCATION OF THE  
3 COMMONWEALTH.

4 \* \* \*

5 "SCHOOL PROPERTY." AS DEFINED IN SECTION 1301-A.

6 \* \* \*

7 "STUDENT WITH A DISABILITY." A STUDENT WHO MEETS THE  
8 DEFINITION OF "CHILD WITH A DISABILITY" UNDER 20 U.S.C. CH. 33  
9 (RELATING TO EDUCATION OF INDIVIDUALS WITH DISABILITIES) OR WHO  
10 MEETS THE DEFINITION OF A "HANDICAPPED PERSON" UNDER 29 U.S.C. §  
11 794 (RELATING TO NONDISCRIMINATION UNDER FEDERAL GRANTS AND  
12 PROGRAMS) AND ITS IMPLEMENTING REGULATIONS (34 CFR 104.3(J)).  
13 THE TERM INCLUDES A STUDENT FOR WHOM AN EVALUATION IS PENDING  
14 UNDER EITHER 20 U.S.C. CH. 33 OR 29 U.S.C. CH. 16 (RELATING TO  
15 VOCATIONAL REHABILITATION AND OTHER REHABILITATIVE SERVICES).

16 "WEAPON." THE TERM SHALL INCLUDE, BUT NOT BE LIMITED TO, A  
17 KNIFE, CUTTING INSTRUMENT, CUTTING TOOL, NUNCHAKU, FIREARM,  
18 SHOTGUN, RIFLE AND OTHER TOOL, INSTRUMENT OR IMPLEMENT CAPABLE  
19 OF INFLECTING SERIOUS BODILY INJURY.

20 SECTION 12. SECTION 1302-B(E) OF THE ACT, AMENDED JULY 8,  
21 2022 (P.L.620, NO.55), IS AMENDED, SUBSECTION (B) (12) IS AMENDED  
22 BY ADDING A SUBPARAGRAPH AND THE SECTION IS AMENDED BY ADDING A  
23 SUBSECTION TO READ:

24 SECTION 1302-B. SCHOOL SAFETY AND SECURITY COMMITTEE.

25 \* \* \*

26 (B) COMPOSITION.--THE COMMITTEE SHALL CONSIST OF A  
27 CHAIRPERSON AND THE FOLLOWING MEMBERS:

28 \* \* \*

29 (12) THE FOLLOWING MEMBERS APPOINTED BY THE GOVERNOR:

30 \* \* \*

1           (XI) THE HOMELAND SECURITY DIRECTOR OF THE OFFICE OF  
2           HOMELAND SECURITY UNDER 4 PA. CODE CH. 6 SUBCH. LL  
3           (RELATING TO OFFICE OF HOMELAND SECURITY), WHO SHALL BE A  
4           NONVOTING MEMBER.

5           \* \* \*

6           (E) TERM.--MEMBERS APPOINTED UNDER SUBSECTION (B) (5), (6),  
7           (7), (8), (11) AND (12) SHALL SERVE FOR A FOUR-YEAR TERM AND MAY  
8           BE APPOINTED FOR NO MORE THAN ONE ADDITIONAL CONSECUTIVE TERM.  
9           THE TERMS OF THOSE MEMBERS WHO SERVE BY VIRTUE OF THE PUBLIC  
10          OFFICE THEY HOLD SHALL BE CONCURRENT WITH THEIR SERVICE IN THE  
11          OFFICE FROM WHICH THEY DERIVE THEIR MEMBERSHIP.

12          \* \* \*

13          (J) EXECUTIVE COMMITTEE.--

14           (1) THE COMMITTEE SHALL ESTABLISH AN EXECUTIVE COMMITTEE  
15           WHICH SHALL MEET, AT A MINIMUM, EVERY TWO MONTHS TO IDENTIFY  
16           AND REVIEW CURRENT AND EMERGING SCHOOL SAFETY ISSUES,  
17           INCLUDING, BUT NOT LIMITED TO:

18           (I) DATA ON ISSUES AND INCIDENTS REPORTED THROUGH  
19           THE SAFE2SAY PROGRAM;

20           (II) INFORMATION ARISING FROM COUNTY SAFE SCHOOLS'  
21           COLLABORATIVES UNDER SECTION 1310.1-B;

22           (III) IDENTIFICATION, PREVENTION AND MITIGATION OF  
23           POTENTIAL THREATS OF TARGETED VIOLENCE IN EDUCATIONAL  
24           SETTINGS;

25           (IV) UTILIZATION OF BEST PRACTICES AMONG SCHOOL  
26           ENTITIES RELATED TO THREAT ASSESSMENT, BYSTANDER  
27           INTERVENTION AND REPORTING, CRISIS INTERVENTION AND  
28           EMERGENCY PREPAREDNESS AND RESPONSE; AND

29           (V) OTHER INCIDENTS AND ISSUES IMPACTING SCHOOL  
30           SAFETY IN THIS COMMONWEALTH.



1           (2) THE EXECUTIVE COMMITTEE SHALL PROVIDE GUIDANCE AND  
2           RECOMMENDATIONS FOR CONSIDERATION BY THE COMMITTEE.

3           (3) THE EXECUTIVE COMMITTEE SHALL INCLUDE, AT A MINIMUM,  
4           THE CHAIR OF THE COMMITTEE AND THE MEMBERS APPOINTED UNDER  
5           SUBSECTION (B) (2), (3), (4), (5), (6), (7) AND (8).

6           (4) MEETINGS OF THE EXECUTIVE COMMITTEE SHALL NOT BE  
7           SUBJECT TO THE REQUIREMENTS OF 65 PA.C.S. CH. 7 (RELATING TO  
8           OPEN MEETINGS).

9           (5) THE MEMBER APPOINTED UNDER SUBSECTION (B) (2) SHALL  
10           SERVE AS CHAIR OF THE EXECUTIVE COMMITTEE.

11           (6) THE EXECUTIVE COMMITTEE MAY ADD OTHER MEMBERS OF THE  
12           COMMITTEE AS NECESSARY.

13           SECTION 13. THE ACT IS AMENDED BY ADDING A SECTION TO READ:  
14           SECTION 1302.1-B. DUTIES OF COMMITTEE.

15           THE COMMITTEE SHALL ADVANCE PRACTICES TO IMPROVE THE SAFETY  
16           AND SECURITY OF SCHOOL ENTITIES WITHIN THIS COMMONWEALTH,  
17           INCLUDING DEVELOPING POLICIES AND PROVIDING RESOURCES, TRAINING,  
18           GUIDANCE AND ASSISTANCE TO SCHOOLS AND THEIR PARTNERS. IN  
19           ADDITION TO OTHER DUTIES GIVEN TO THE COMMITTEE UNDER THIS  
20           ARTICLE, THE COMMITTEE SHALL HAVE THE FOLLOWING POWERS AND  
21           DUTIES:

22           (1) TO ESTABLISH, PERIODICALLY REVIEW AND, IF NECESSARY,  
23           UPDATE BASELINE CRITERIA FOR PHYSICAL SECURITY AND BEHAVIORAL  
24           HEALTH IN COORDINATION WITH THE DEPARTMENT FOR SCHOOL  
25           ENTITIES IN THIS COMMONWEALTH.

26           (2) TO COORDINATE ANTIVIOLENCE AND SCHOOL SAFETY EFFORTS  
27           BETWEEN SCHOOL, PROFESSIONAL, PARENTAL, GOVERNMENTAL, LAW  
28           ENFORCEMENT AND COMMUNITY ORGANIZATIONS AND ASSOCIATIONS.

29           (3) TO COLLECT, DEVELOP AND DISSEMINATE INFORMATION,  
30           POLICIES, STRATEGIES AND OTHER INFORMATION TO ASSIST IN THE

1 DEVELOPMENT OF PROGRAMS TO IMPACT SCHOOL AND COMMUNITY  
2 VIOLENCE AND OTHER SCHOOL-SAFETY-RELATED ISSUES.

3 (4) TO PROVIDE TRAINING TO SCHOOL EMPLOYEES, SCHOOL  
4 SAFETY AND SECURITY COORDINATORS AND COMMUNITIES ON EFFECTIVE  
5 MEASURES TO PREVENT AND COMBAT SCHOOL AND COMMUNITY VIOLENCE  
6 AS WELL AS SCHOOL SAFETY AND SECURITY TRAINING UNDER SECTION  
7 1310-B AND COORDINATOR TRAINING UNDER SECTION 1316-B.

8 (5) IN COLLABORATION AND COORDINATION WITH THE  
9 DEPARTMENT, TO ASSIST SCHOOL ENTITIES AND NONPUBLIC SCHOOLS  
10 ON THE DEVELOPMENT OF POLICIES TO ENHANCE SAFETY AND  
11 SECURITY, INCLUDING POLICIES ADDRESSING POSSESSION OF  
12 WEAPONS, ACTS OF VIOLENCE, PROTOCOLS FOR COORDINATION WITH  
13 LAW ENFORCEMENT OFFICIALS AND REPORTING UNDER SECTION 1319-B.

14 (6) IN COLLABORATION AND COORDINATION WITH THE  
15 DEPARTMENT, TO VERIFY THAT EACH SCHOOL ENTITY HAS COMPLIED  
16 WITH REPORTING AND MEMORANDUM OF UNDERSTANDING REQUIREMENTS  
17 UNDER SECTION 1319-B.

18 (7) IN COLLABORATION AND COORDINATION WITH THE  
19 DEPARTMENT, TO PUBLISH AND POST ON THE COMMISSION'S PUBLICLY  
20 ACCESSIBLE INTERNET WEBSITE A SCHOOL SAFETY ANNUAL REPORT NO  
21 LATER THAN NOVEMBER 1 OF EACH CALENDAR YEAR OUTLINING ALL  
22 INCIDENTS REQUIRED TO BE REPORTED UNDER SECTION 1319-B AND  
23 SCHOOL ENTITIES THAT FAILED TO SUBMIT A REPORT UNDER SECTION  
24 1319-B.

25 (8) IN COLLABORATION AND CONSULTATION WITH THE  
26 PENNSYLVANIA STATE POLICE, TO ESTABLISH CRITERIA FOR  
27 CERTIFYING APPROVED VENDORS TO PROVIDE SCHOOL POLICE OFFICERS  
28 TO NONPUBLIC SCHOOLS FOR THE PURPOSE OF AWARDING GRANTS UNDER  
29 SECTION 1306.1-B(K).

30 (9) TO PUBLISH AND POST ON THE COMMISSION'S PUBLICLY

1 ACCESSIBLE INTERNET WEBSITE A LISTING OF APPROVED VENDORS  
2 UNDER PARAGRAPH (8).

3 (10) IN CONSULTATION WITH THE DEPARTMENT, TO DEVELOP,  
4 REVIEW AND PROMULGATE REGULATIONS UNDER SECTION 1306.2-B(B).

5 (11) TO REQUEST DATA RELATED TO SCHOOL SAFETY AND  
6 SECURITY COLLECTED BY THE DEPARTMENT TO FULFILL THE DUTIES OF  
7 THE COMMITTEE. THE DEPARTMENT SHALL PROVIDE REQUESTED DATA NO  
8 LATER THAN 10 DAYS AFTER THE REQUEST IS MADE.

9 SECTION 14. SECTION 1306-B(J) (4) AND (12), (K) AND (L) OF  
10 THE ACT, AMENDED JULY 8, 2022 (P.L.620, NO.55), ARE AMENDED,  
11 SUBSECTION (H) IS AMENDED BY ADDING PARAGRAPHS AND THE SECTION  
12 IS AMENDED BY ADDING A SUBSECTION TO READ:

13 SECTION 1306-B. SCHOOL SAFETY AND SECURITY GRANT PROGRAM.

14 \* \* \*

15 (H) SCHOOL SAFETY AND SECURITY FUND.--

16 \* \* \*

17 (10) FOR FISCAL YEAR 2023-2024, THE COMMITTEE SHALL  
18 COMMIT FUNDS RELATING TO SCHOOL SAFETY AND SECURITY AND  
19 SCHOOL MENTAL HEALTH TO SCHOOL ENTITIES THAT RECEIVE A GRANT  
20 AWARD UNDER THIS SECTION NO LATER THAN MARCH 31, 2024.

21 (11) FOR FISCAL YEAR 2024-2025 AND EACH FISCAL YEAR  
22 THEREAFTER, THE COMMITTEE SHALL COMMIT FUNDS RELATING TO  
23 SCHOOL SAFETY AND SECURITY AND SCHOOL MENTAL HEALTH TO SCHOOL  
24 ENTITIES THAT RECEIVE A GRANT AWARD UNDER THIS SECTION NO  
25 LATER THAN DECEMBER 31 OF EACH CALENDAR YEAR IN WHICH FUNDS  
26 ARE AVAILABLE.

27 (12) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, DURING  
28 THE 2023-2024 FISCAL YEAR, MONEY APPROPRIATED FOR COVID  
29 RELIEF - ARPA - SCHOOL MENTAL HEALTH GRANTS SHALL BE  
30 TRANSFERRED TO THE FUND AND SHALL BE USED AS FOLLOWS:

1           (I) NINETY PERCENT SHALL BE USED FOR GRANTS UNDER  
2           SECTION 1315.1-B.

3           (II) FIVE PERCENT SHALL BE TRANSFERRED TO THE  
4           DEPARTMENT FOR TRAINING OF SCHOOL BASED MENTAL HEALTH  
5           PROFESSIONALS AND TO ESTABLISH PATHWAYS TO CERTIFICATION  
6           FOR SCHOOL BASED MENTAL HEALTH PROFESSIONALS.

7           (III) FIVE PERCENT SHALL BE TRANSFERRED TO THE  
8           PENNSYLVANIA HIGHER EDUCATION ASSISTANCE AGENCY FOR THE  
9           PROGRAM UNDER SECTION 1318-B.

10       (I) COMMUNITY VIOLENCE PREVENTION PROGRAMS.--

11           (1) [MUNICIPALITIES] NOTWITHSTANDING SUBSECTION (H) (7),  
12           THE COMMITTEE SHALL USE MONEY APPROPRIATED TO THE COMMISSION  
13           FOR VIOLENCE INTERVENTION AND PREVENTION FOR GRANTS AND  
14           TECHNICAL ASSISTANCE TO MUNICIPALITIES, DISTRICT ATTORNEYS,  
15           INSTITUTIONS OF HIGHER EDUCATION, COMMUNITY-BASED  
16           ORGANIZATIONS AND OTHER ENTITIES APPROVED BY THE COMMITTEE  
17           [ARE THE ONLY ELIGIBLE APPLICANTS] FOR PROGRAMS UNDER  
18           SUBSECTION (J) (22) .

19           \* \* \*

20       (J) SPECIFIC PURPOSES.--THE COMMITTEE SHALL PROVIDE GRANTS  
21 TO SCHOOL ENTITIES FOR PROGRAMS THAT ADDRESS SCHOOL MENTAL  
22 HEALTH AND SAFETY AND SECURITY, INCLUDING:

23           \* \* \*

24           (4) SCHOOL-BASED DIVERSION PROGRAMS[.] AS DEFINED IN  
25           SECTION 1301-A, INCLUDING COSTS ASSOCIATED WITH THE HIRING OF  
26           QUALIFIED PROFESSIONAL STAFF MEMBERS TO PROVIDE ASSISTANCE  
27           AND SERVICES RELATED TO THE PROGRAMS.

28           \* \* \*

29           (12) SECURITY PLANNING AND PURCHASE OF SECURITY-RELATED  
30 TECHNOLOGY, WHICH MAY INCLUDE METAL DETECTORS, PROTECTIVE

1 LIGHTING, SPECIALTY TRAINED CANINES, SURVEILLANCE EQUIPMENT,  
2 SPECIAL EMERGENCY COMMUNICATIONS EQUIPMENT, AUTOMATED  
3 EXTERNAL DEFIBRILLATORS, ELECTRONIC LOCKSETS, DEADBOLTS,  
4 TRAUMA KITS AND THEFT CONTROL DEVICES AND TRAINING IN THE USE  
5 OF SECURITY-RELATED TECHNOLOGY. [SECURITY PLANNING AND  
6 PURCHASE OF SECURITY-RELATED TECHNOLOGY SHALL BE BASED ON  
7 SAFETY NEEDS IDENTIFIED BY THE SCHOOL ENTITY'S BOARD OF  
8 SCHOOL DIRECTORS.]

9 \* \* \*

10 (K) COORDINATION OF GRANT DISTRIBUTION.--THE [DEPARTMENT]  
11 COMMITTEE SHALL COORDINATE THE DISTRIBUTION OF GRANTS UNDER  
12 [ARTICLE XIII-A WITH THE COMMITTEE] SECTION 1306.1-B TO ENSURE  
13 THE MOST EFFECTIVE USE OF RESOURCES.

14 (L) AUDITS.--

15 (1) THE COMMISSION MAY RANDOMLY AUDIT AND MONITOR GRANT  
16 RECIPIENTS TO ENSURE THE APPROPRIATE USE OF GRANT FUNDS AND  
17 COMPLIANCE WITH [THE PROVISIONS OF] SUBSECTION (D).

18 (2) THE AUDITOR GENERAL [SHALL] MAY NOT PERFORM AUDITS  
19 RELATED TO SCHOOL SAFETY AND SECURITY ASSESSMENTS, SURVEY  
20 INSTRUMENTS AND GRANT APPLICATIONS.

21 (M) PROCUREMENT PROCEDURES.--AN APPLICANT SHALL BE REQUIRED  
22 TO COMPLY WITH ALL APPLICABLE STATE AND LOCAL PROCUREMENT  
23 REQUIREMENTS, POLICIES AND PROCEDURES WHEN EXPENDING GRANT  
24 FUNDS.

25 SECTION 15. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:  
26 SECTION 1306.1-B. TARGETED SCHOOL SAFETY GRANTS FOR NONPUBLIC  
27 SCHOOLS AND SCHOOL ENTITIES PROGRAM.

28 (A) REESTABLISHMENT.--THE TARGETED SCHOOL SAFETY GRANTS FOR  
29 NONPUBLIC SCHOOLS AND SCHOOL ENTITIES PROGRAM IS REESTABLISHED  
30 IN THE COMMITTEE TO MAKE NONPUBLIC SCHOOLS AND SCHOOL ENTITIES

1 WITHIN THIS COMMONWEALTH SAFER PLACES.

2 (B) CONTINUATION.--THE TARGETED GRANTS ISSUED IN FISCAL YEAR  
3 2022-2023 AND IN ANY PREVIOUS FISCAL YEAR TO SCHOOL ENTITIES AND  
4 TO INTERMEDIATE UNITS ON BEHALF OF NONPUBLIC SCHOOLS THROUGH THE  
5 DEPARTMENT UNDER ARTICLE XIII-A SHALL CONTINUE TO BE  
6 ADMINISTERED BY THE DEPARTMENT. TARGETED GRANTS FOR FISCAL YEAR  
7 2023-2024 AND EACH YEAR THEREAFTER SHALL BE AWARDED AND  
8 ADMINISTERED BY THE COMMITTEE.

9 (C) FUNCTIONS GENERALLY.--THE COMMITTEE SHALL PERFORM ALL  
10 FUNCTIONS RELATED TO THE DIRECT APPROVAL, DISBURSEMENT AND  
11 ADMINISTRATION OF GRANTS UNDER THE PROGRAM.

12 (D) DIVERSITY.--THE COMMITTEE SHALL ENSURE THAT GRANT  
13 FUNDING UNDER THE PROGRAM IS GEOGRAPHICALLY DISPERSED THROUGHOUT  
14 THIS COMMONWEALTH.

15 (E) SUPPLEMENT AND NOT SUPPLANT.--

16 (1) GRANT MONEY ALLOCATED THROUGH THE PROGRAM SHALL BE  
17 USED TO SUPPLEMENT AND NOT SUPPLANT EXISTING NONPUBLIC SCHOOL  
18 ENTITY SPENDING ON SCHOOL SAFETY AND SECURITY.

19 (2) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO  
20 PRECLUDE A NONPUBLIC SCHOOL ENTITY FROM MAKING AN APPLICATION  
21 IN A SUBSEQUENT YEAR FOR THE SAME PURPOSE AND AMOUNT AWARDED  
22 IN A PRIOR YEAR.

23 (F) WHOLE OR PARTIAL AWARDS.--THE COMMITTEE, IN ITS  
24 DISCRETION, MAY AWARD, IN WHOLE OR IN PART, A REQUEST MADE BY A  
25 NONPUBLIC SCHOOL ENTITY IN ITS GRANT APPLICATION BASED UPON THE  
26 MERIT OF A SPECIFIC ITEM REQUESTED.

27 (G) SUSTAINABILITY PLANNING.--SUSTAINABILITY PLANNING IS NOT  
28 A NECESSARY COMPONENT OF AN APPLICATION UNDER THIS SECTION.

29 (H) CONFIDENTIALITY.--INFORMATION SUBMITTED BY A NONPUBLIC  
30 SCHOOL ENTITY AS PART OF THE GRANT APPLICATION, THE DISCLOSURE

1 OF WHICH WOULD BE REASONABLY LIKELY TO RESULT IN A SUBSTANTIAL  
2 AND DEMONSTRABLE RISK OF PHYSICAL HARM OR THE PERSONAL SECURITY  
3 OF STUDENTS OR STAFF, SHALL REMAIN CONFIDENTIAL AND SHALL NOT BE  
4 ACCESSIBLE FOR INSPECTION AND DUPLICATION UNDER THE ACT OF  
5 FEBRUARY 14, 2008 (P.L.6, NO.3), KNOWN AS THE RIGHT-TO-KNOW LAW.  
6 THE COMMITTEE MAY RELEASE AGGREGATE DATA AT ITS DISCRETION.

7 (I) (RESERVED).

8 (J) USES.--TARGETED GRANTS TO SCHOOL ENTITIES AND TO  
9 INTERMEDIATE UNITS ON BEHALF OF NONPUBLIC SCHOOLS SHALL BE USED  
10 TO FUND PROGRAMS THAT ADDRESS SCHOOL VIOLENCE AND SCHOOL MENTAL  
11 HEALTH. ELIGIBLE USES OF THE FUNDS SHALL INCLUDE ANY USE UNDER  
12 SECTION 1306-B(J) AND TO FUND PROGRAMS THAT ADDRESS SCHOOL  
13 VIOLENCE BY ESTABLISHING OR ENHANCING SCHOOL SECURITY, INCLUDING  
14 COSTS ASSOCIATED WITH THE TRAINING AND COMPENSATION OF SCHOOL  
15 SECURITY PERSONNEL.

16 (K) OTHER GRANT RECIPIENTS.--

17 (1) THE COMMITTEE MAY AWARD TARGETED GRANTS TO  
18 MUNICIPALITIES, LAW ENFORCEMENT AGENCIES AND APPROVED VENDORS  
19 TO FUND PROGRAMS THAT ADDRESS SCHOOL VIOLENCE BY ESTABLISHING  
20 OR ENHANCING SCHOOL SECURITY, INCLUDING COSTS ASSOCIATED WITH  
21 THE TRAINING AND COMPENSATION OF SCHOOL SECURITY PERSONNEL.

22 (2) A MUNICIPALITY OR LAW ENFORCEMENT AGENCY THAT  
23 RECEIVES GRANTS UNDER THIS SUBSECTION SHALL, WITH THE PRIOR  
24 CONSENT OF THE GOVERNING BOARD OF THE SCHOOL ENTITY OR  
25 NONPUBLIC SCHOOL, ASSIGN SCHOOL RESOURCE OFFICERS TO CARRY  
26 OUT THEIR OFFICIAL DUTIES ON THE PREMISES OF THE SCHOOL  
27 ENTITY OR NONPUBLIC SCHOOL. A MUNICIPALITY OR LAW ENFORCEMENT  
28 AGENCY MAY NOT RECEIVE GRANT MONEY UNDER THIS SUBSECTION FOR  
29 ANY PURPOSE OTHER THAN FOR COSTS ASSOCIATED WITH SCHOOL  
30 RESOURCE OFFICERS AND ARE NOT ELIGIBLE FOR OTHER GRANTS

1 PROVIDED TO SCHOOL ENTITIES UNDER THIS SECTION. IN ASSIGNING  
2 SCHOOL RESOURCE OFFICERS UNDER THIS SUBSECTION, A  
3 MUNICIPALITY SHALL TAKE INTO CONSIDERATION THE PROPORTION OF  
4 STUDENTS ENROLLED IN EACH SCHOOL ENTITY OR NONPUBLIC SCHOOL.

5 (3) A NONPUBLIC SCHOOL MAY APPLY TO THE COMMITTEE FOR  
6 GRANT FUNDING UNDER PARAGRAPH (1) TO BE USED FOR THE COSTS  
7 ASSOCIATED WITH OBTAINING THE SERVICES OF SCHOOL SECURITY  
8 PERSONNEL FROM A LIST OF APPROVED VENDORS CERTIFIED BY THE  
9 COMMITTEE. A GRANT AWARD FOR THIS PURPOSE SHALL BE AWARDED  
10 AND PAID DIRECTLY TO THE APPROVED VENDOR WITH WHICH THE  
11 NONPUBLIC SCHOOL CONTRACTS FOR SERVICES. A NONPUBLIC SCHOOL  
12 MAY NOT APPLY FOR GRANT FUNDING UNDER THIS SUBSECTION FOR ANY  
13 PURPOSE OTHER THAN OBTAINING THE SERVICES OF SCHOOL SECURITY  
14 PERSONNEL UNDER THIS PARAGRAPH.

15 (L) OTHER DUTIES.--THE COMMITTEE SHALL HAVE THE FOLLOWING  
16 DUTIES AS TO TARGETED GRANTS:

17 (1) TARGETED GRANTS SHALL BE ALLOCATED THROUGH A  
18 COMPETITIVE GRANT REVIEW PROCESS ESTABLISHED BY THE  
19 COMMITTEE. A SCHOOL ENTITY MUST SATISFY THE REQUIREMENTS OF  
20 THIS SECTION. THE APPLICATION FOR A TARGETED GRANT SHALL  
21 INCLUDE:

22 (I) THE PURPOSE FOR WHICH THE TARGETED GRANT WILL BE  
23 UTILIZED;

24 (II) INFORMATION INDICATING THE NEED FOR THE  
25 TARGETED GRANT, INCLUDING, BUT NOT LIMITED TO, SCHOOL  
26 VIOLENCE STATISTICS;

27 (III) AN ESTIMATED BUDGET;

28 (IV) METHODS FOR MEASURING OUTCOMES; AND

29 (V) OTHER CRITERIA AS THE COMMITTEE MAY REQUIRE.

30 (2) THE COMMITTEE SHALL:



1           (I) GIVE PRIORITY IN GRANT FUNDING UNDER SUBSECTION  
2           (C) TO A SCHOOL ENTITY DESIGNATED AS A PERSISTENTLY  
3           DANGEROUS SCHOOL AS DEFINED IN 22 PA. CODE § 403.2  
4           (RELATING TO DEFINITIONS).

5           (II) GIVE PRIORITY IN GRANT FUNDING UNDER SUBSECTION  
6           (J) TO SCHOOL ENTITIES WITH THE GREATEST NEED RELATED TO  
7           SAFETY AND ORDER.

8           (III) FOR MUNICIPALITIES, LOCAL LAW ENFORCEMENT  
9           AGENCIES AND NONPUBLIC SCHOOLS THAT APPLY FOR FUNDING FOR  
10           THE TRAINING AND COMPENSATION OF SCHOOL SECURITY  
11           PERSONNEL UNDER SUBSECTION (J) OR (K), GIVE PRIORITY TO  
12           MUNICIPALITIES, LOCAL LAW ENFORCEMENT AGENCIES AND  
13           NONPUBLIC SCHOOLS THAT UTILIZE SCHOOL SECURITY PERSONNEL  
14           WHO HAVE COMPLETED THE TRAINING AND QUALIFICATIONS  
15           REQUIRED UNDER ARTICLE XIII-C.

16           (IV) FOR SCHOOL ENTITIES OR NONPUBLIC SCHOOLS THAT  
17           APPLY FOR FUNDING FOR SCHOOL POLICE OFFICERS UNDER  
18           SUBSECTION (J) OR (K), GIVE PRIORITY TO SCHOOL ENTITIES  
19           AND NONPUBLIC SCHOOLS THAT UTILIZE SCHOOL POLICE OFFICERS  
20           WHO SATISFY ALL OF THE FOLLOWING:

21                   (A) ARE RETIRED FEDERAL AGENTS OR RETIRED STATE,  
22                   MUNICIPAL OR MILITARY POLICE OFFICERS.

23                   (B) ARE INDEPENDENT CONTRACTORS OF THE SCHOOL  
24                   ENTITY OR NONPUBLIC SCHOOL.

25                   (C) ARE COMPENSATED ON AN HOURLY BASIS AND  
26                   RECEIVE NO OTHER COMPENSATION OR FRINGE BENEFITS FROM  
27                   THE SCHOOL ENTITY OR NONPUBLIC SCHOOL.

28                   (D) HAVE COMPLETED ANNUAL TRAINING AS REQUIRED  
29                   BY THE MUNICIPAL POLICE OFFICERS' EDUCATION AND  
30                   TRAINING COMMISSION UNDER 53 PA.C.S. CH. 21 SUBCH. D

1 (RELATING TO MUNICIPAL POLICE EDUCATION AND  
2 TRAINING).

3 (E) THE REQUIREMENTS OF SECTION 111.

4 (F) IN THE CASE OF A SCHOOL ENTITY, HAVE BEEN  
5 INDEMNIFIED BY THE SCHOOL ENTITY UNDER 42 PA.C.S. §  
6 8548 (RELATING TO INDEMNITY).

7 (G) ARE UTILIZED BY A SCHOOL ENTITY OR NONPUBLIC  
8 SCHOOL THAT HAS NOT EMPLOYED A SCHOOL POLICE OFFICER  
9 WITHIN THE THREE YEARS IMMEDIATELY PRECEDING THE  
10 EFFECTIVE DATE OF THIS SECTION. NOTHING IN THIS  
11 SECTION SHALL BE CONSTRUED TO IMPACT GRANT DECISIONS  
12 FOR SCHOOL ENTITIES, MUNICIPALITIES OR LAW  
13 ENFORCEMENT AGENCIES THAT APPLY FOR FUNDING FOR  
14 HIRING OF SCHOOL RESOURCE OFFICERS UNDER SUBSECTION  
15 (J) OR (K).

16 (3) FOR FISCAL YEAR 2023-2024 AND EACH FISCAL YEAR  
17 THEREAFTER, THE COMBINED AMOUNT OF GRANTS AWARDED TO  
18 INTERMEDIATE UNITS ON BEHALF OF NONPUBLIC SCHOOLS UNDER  
19 SUBSECTION (J) AND GRANTS AWARDED FOR COSTS ASSOCIATED WITH A  
20 NONPUBLIC SCHOOL OBTAINING THE SERVICES OF SCHOOL SECURITY  
21 PERSONNEL UNDER SUBSECTION (K) SHALL BE NO LESS THAN  
22 \$14,551,000.

23 (M) AUDITS.--

24 (1) THE COMMISSION MAY RANDOMLY AUDIT AND MONITOR GRANT  
25 RECIPIENTS TO ENSURE THE APPROPRIATE USE OF GRANT FUNDS AND  
26 COMPLIANCE WITH THE PROVISIONS OF SUBSECTION (D).

27 (2) THE AUDITOR GENERAL MAY NOT PERFORM AUDITS RELATED  
28 TO SCHOOL SAFETY AND SECURITY ASSESSMENTS, SURVEY INSTRUMENTS  
29 AND GRANT APPLICATIONS.

30 (N) PROCUREMENT PROCEDURES.--AN APPLICANT SHALL BE REQUIRED

1 TO COMPLY WITH ALL APPLICABLE STATE AND LOCAL PROCUREMENT  
2 REQUIREMENTS, POLICIES AND PROCEDURES WHEN EXPENDING GRANT  
3 MONEY.

4 (O) TRANSFER.--WITHIN 90 DAYS OF THE EFFECTIVE DATE OF THIS  
5 SECTION, FROM THE AMOUNT APPROPRIATED TO THE DEPARTMENT OF  
6 EDUCATION FOR THE SAFE SCHOOL INITIATIVE, THE DEPARTMENT OF  
7 EDUCATION SHALL TRANSFER THE SUM OF \$20,700,000 TO THE  
8 COMMISSION FOR DISTRIBUTION BY THE COMMITTEE IN ACCORDANCE WITH  
9 THIS SECTION.

10 (P) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING  
11 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS  
12 SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

13 "PROGRAM." THE TARGETED SCHOOL SAFETY GRANTS FOR NONPUBLIC  
14 SCHOOLS AND SCHOOL ENTITIES PROGRAM REESTABLISHED IN THIS  
15 SECTION.

16 SECTION 1306.2-B. STANDARDIZED PROTOCOLS.

17 (A) CONTINUATION OF REGULATIONS.--A REGULATION ADOPTED UNDER  
18 SECTION 1302.1-A AND IN EFFECT AS OF THE EFFECTIVE DATE OF THIS  
19 SECTION SHALL BE ENFORCED BY THE COMMITTEE IN COLLABORATION AND  
20 COORDINATION WITH THE DEPARTMENT AND THE STATE BOARD OF  
21 EDUCATION AND SHALL CONTINUE TO HAVE THE SAME FORCE AND EFFECT  
22 UNTIL MODIFIED OR REVISED UNDER THIS SECTION.

23 (B) REGULATIONS.--NO LATER THAN THREE YEARS AFTER THE  
24 EFFECTIVE DATE OF THIS SECTION, THE COMMITTEE SHALL PROMULGATE  
25 FINAL-OMITTED REGULATIONS UNDER THE ACT OF JUNE 25, 1982  
26 (P.L.633, NO.181), KNOWN AS THE REGULATORY REVIEW ACT, IN  
27 CONSULTATION WITH THE DEPARTMENT, NECESSARY TO IMPLEMENT THIS  
28 ARTICLE. THE REGULATIONS SHALL INCLUDE THE FOLLOWING:

29 (1) A MODEL MEMORANDUM OF UNDERSTANDING BETWEEN SCHOOL  
30 ENTITIES AND LAW ENFORCEMENT. THE MODEL MEMORANDUM OF

1 UNDERSTANDING SHALL BE REVIEWED AT LEAST ONCE EVERY THREE  
2 YEARS AND REVISED WHERE NECESSARY. THE COMMITTEE MAY REVISE  
3 THE MODEL MEMORANDUM OF UNDERSTANDING BY TRANSMITTING A  
4 NOTICE TO THE LEGISLATIVE REFERENCE BUREAU FOR PUBLICATION IN  
5 THE NEXT AVAILABLE ISSUE OF THE PENNSYLVANIA BULLETIN THAT  
6 CONTAINS THE COMPLETE REVISED MODEL MEMORANDUM OF  
7 UNDERSTANDING. THE REVISED MODEL MEMORANDUM OF UNDERSTANDING  
8 SHALL BE INCORPORATED INTO THE PENNSYLVANIA CODE AND REPLACE  
9 THE EXISTING MODEL MEMORANDUM OF UNDERSTANDING.

10 (2) A PROTOCOL FOR THE NOTIFICATION OF THE LAW  
11 ENFORCEMENT AGENCY WHEN AN OFFENSE LISTED UNDER SECTION 1319-  
12 B(B) (7) OCCURS ON SCHOOL PROPERTY. THE PROTOCOL SHALL INCLUDE  
13 A REQUIREMENT THAT THE SCHOOL ENTITY IMMEDIATELY NOTIFY THE  
14 LAW ENFORCEMENT AGENCY WHEN AN OFFENSE OCCURS.

15 (3) A PROTOCOL FOR THE NOTIFICATION OF THE LAW  
16 ENFORCEMENT AGENCY AT THE DISCRETION OF THE CHIEF SCHOOL  
17 ADMINISTRATOR REGARDING AN OFFENSE LISTED UNDER SECTION 1319-  
18 B(B) (8) OR OTHER OFFENSE THAT OCCURS ON SCHOOL PROPERTY.

19 (4) A PROTOCOL FOR EMERGENCY AND NONEMERGENCY RESPONSE  
20 BY THE LAW ENFORCEMENT DEPARTMENT. THE PROTOCOL SHALL INCLUDE  
21 A REQUIREMENT THAT THE SCHOOL ENTITY NOTIFY AND SUPPLY THE  
22 LAW ENFORCEMENT AGENCY WITH A COPY OF THE COMPREHENSIVE  
23 DISASTER RESPONSE AND EMERGENCY PREPAREDNESS PLAN AS REQUIRED  
24 BY 35 PA.C.S. § 7701(G) (RELATING TO DUTIES CONCERNING  
25 DISASTER PREVENTION).

26 (5) PROCEDURES AND PROTOCOLS IF A STUDENT WITH A  
27 DISABILITY COMMITS AN INCIDENT LISTED UNDER SECTION 1319-B(B)  
28 (7) AND (8), INCLUDING PROCEDURES RELATED TO STUDENT BEHAVIOR  
29 AS REQUIRED BY 22 PA. CODE § 14.104 (RELATING TO SPECIAL  
30 EDUCATION PLANS) AND 14.133 (RELATING TO POSITIVE BEHAVIOR

1 SUPPORTS). PROTOCOLS MAY INCLUDE, BUT NEED NOT BE LIMITED TO,  
2 TRAINING IN THE USE OF POSITIVE BEHAVIOR SUPPORTS AND DE-  
3 ESCALATION TECHNIQUES FOR STUDENTS WITH DISABILITIES.

4 SECTION 1310.1-B. COUNTY SAFE SCHOOLS' COLLABORATIVE.

5 (A) ESTABLISHMENT.--A COUNTY, OR MULTICOUNTIES ACTING  
6 JOINTLY, MAY ESTABLISH A SAFE SCHOOLS' COLLABORATIVE TO  
7 DISTRIBUTE, PROMOTE AND DEVELOP BEST PRACTICES APPLICABLE TO  
8 EMERGENCY RESPONSE INVOLVING SCHOOL SAFETY AND SECURITY THROUGH  
9 AN EMERGENCY PREPAREDNESS PLANNING APPROACH. THE COLLABORATIVE  
10 SHALL PROVIDE ASSISTANCE TO SCHOOL ENTITIES, LAW ENFORCEMENT AND  
11 EMERGENCY RESPONDERS AND SHALL MEET AT LEAST QUARTERLY TO  
12 DEVELOP SAFE AND SECURE SCHOOLS. THE COLLABORATIVE SHALL  
13 IDENTIFY AND PROMOTE STRATEGIES, PRACTICES THAT ALIGN WITH THOSE  
14 IDENTIFIED BY THE COMMITTEE AND PROGRAMS THAT SUPPORT SAFE  
15 SCHOOLS FOR ALL STUDENTS AND STAFF AND RECOMMEND IMPLEMENTATION  
16 AS PART OF A COUNTYWIDE OR MULTICOUNTY SAFE SCHOOLS' PLAN.

17 (B) TECHNICAL ASSISTANCE.--THE PENNSYLVANIA EMERGENCY  
18 MANAGEMENT AGENCY IN COLLABORATION WITH THE PENNSYLVANIA STATE  
19 POLICE AND THE OFFICE OF HOMELAND SECURITY SHALL PROVIDE  
20 TECHNICAL ASSISTANCE TO A COUNTY OR SEVERAL COUNTIES TO  
21 ESTABLISH A SAFE SCHOOLS' COLLABORATIVE UNDER SUBSECTION (A) TO  
22 PROVIDE SCHOOL DISTRICTS, EMERGENCY RESPONDERS AND ALL RELEVANT  
23 SCHOOL SAFETY PARTNERS WITH QUALITY INFORMATION, RESOURCES,  
24 CONSULTATION AND TRAINING SERVICES.

25 (C) REPORTS.--THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY  
26 IN COLLABORATION WITH THE PENNSYLVANIA STATE POLICE AND THE  
27 OFFICE OF HOMELAND SECURITY SHALL REPORT TO THE COMMITTEE  
28 ANNUALLY BEGINNING SEPTEMBER 1, 2024, AND SEPTEMBER 1 OF EACH  
29 YEAR THEREAFTER, THE NUMBER OF COUNTIES THAT HAVE REQUESTED  
30 TECHNICAL ASSISTANCE UNDER SUBSECTION (B).

1 (D) CONFIDENTIALITY OF REPORTS.--REPORTS TO THE COMMITTEE  
2 UNDER THIS SECTION SHALL REMAIN CONFIDENTIAL AND SHALL NOT BE  
3 SUBJECT TO INSPECTION AND DUPLICATION UNDER THE ACT OF FEBRUARY  
4 14, 2008 (P.L.6, NO.3), KNOWN AS THE RIGHT-TO-KNOW LAW.

5 (E) CONFIDENTIALITY OF MEETINGS.--MEETINGS OF A COUNTY SAFE  
6 SCHOOLS' COLLABORATIVE ARE NOT SUBJECT TO THE REQUIREMENTS OF 65  
7 PA.C.S. CH. 7 (RELATING TO OPEN MEETINGS).

8 SECTION 1315.1-B. SCHOOL MENTAL HEALTH GRANTS FOR 2023-2024  
9 SCHOOL YEAR.

10 (A) FUNDING.--FOR THE 2023-2024 SCHOOL YEAR, THE AMOUNT OF  
11 MONEY ALLOCATED UNDER SECTION 1306-B(H) (12) (I) SHALL BE USED BY  
12 THE COMMITTEE TO AWARD SCHOOL MENTAL HEALTH GRANTS TO SCHOOL  
13 ENTITIES IN ACCORDANCE WITH THIS SECTION.

14 (B) PURPOSE OF GRANTS.--

15 (1) A SCHOOL ENTITY SHALL BE ELIGIBLE FOR SCHOOL MENTAL  
16 HEALTH GRANTS TO MEET THE LEVEL 1 BASELINE CRITERIA FOR  
17 BEHAVIORAL HEALTH AND SCHOOL CLIMATE CRITERIA ESTABLISHED BY  
18 THE COMMITTEE.

19 (2) A SCHOOL ENTITY THAT HAS MET THE LEVEL 1 BASELINE  
20 CRITERIA SHALL BE ELIGIBLE FOR SCHOOL MENTAL HEALTH GRANTS  
21 FOR THE PURPOSES OUTLINED IN SECTION 1306-B(J) (6), (10),  
22 (15), (17), (19), (20), (21), (23), (24), (25), (26), (27),  
23 (28), (29) AND (30).

24 (C) AMOUNT OF GRANTS.--THE COMMITTEE SHALL AWARD SCHOOL  
25 MENTAL HEALTH GRANTS IN THE FOLLOWING AMOUNTS TO ANY SCHOOL  
26 ENTITY THAT SUBMITS AN APPLICATION:

27 (1) A SCHOOL DISTRICT SHALL RECEIVE \$100,000 PLUS AN  
28 AMOUNT DETERMINED IN PARAGRAPH (3).

29 (2) AN INTERMEDIATE UNIT, AREA CAREER AND TECHNICAL  
30 SCHOOL, CHARTER SCHOOL, REGIONAL CHARTER SCHOOL OR CYBER

1 CHARTER SCHOOL SHALL RECEIVE \$70,000.

2 (3) AN AMOUNT DETERMINED AS FOLLOWS:

3 (I) MULTIPLY THE 2021-2022 ADJUSTED AVERAGE DAILY  
4 MEMBERSHIP FOR EACH SCHOOL DISTRICT BY THE DIFFERENCE  
5 BETWEEN THE AMOUNT ALLOCATED IN SUBSECTION (A) AND THE  
6 SUM OF THE AMOUNTS DISTRIBUTED UNDER PARAGRAPHS (1) AND  
7 (2).

8 (II) DIVIDE THE PRODUCT FROM SUBPARAGRAPH (I) BY THE  
9 2021-2022 ADJUSTED AVERAGE DAILY MEMBERSHIP FOR ALL  
10 SCHOOL DISTRICTS.

11 (D) AVAILABILITY OF APPLICATIONS.--THE COMMITTEE SHALL MAKE  
12 AN APPLICATION FOR GRANTS UNDER THIS SECTION AVAILABLE TO SCHOOL  
13 ENTITIES NO LATER THAN 45 DAYS AFTER THE EFFECTIVE DATE OF THIS  
14 SECTION. THE APPLICATION REQUIREMENTS SHALL BE LIMITED TO THE  
15 SCHOOL ENTITY'S CONTACT INFORMATION, THE SPECIFIC PURPOSE OF THE  
16 GRANT BASED UPON THE CATEGORIES SPECIFIED IN SUBSECTION (B) WITH  
17 BOXES ON THE APPLICATION FOR THE APPLICANT TO INDICATE THE  
18 SCHOOL ENTITY'S ANTICIPATED USE AND CERTIFICATION BY THE  
19 APPLICANT THAT THE FUNDS WILL BE USED FOR THE STATED PURPOSE.

20 (E) EFFECT OF REVENUE RECEIVED.--GRANT MONEY RECEIVED UNDER  
21 THIS SECTION MAY NOT BE INCLUDED WHEN CALCULATING THE AMOUNT TO  
22 BE PAID UNDER SECTION 1725-A.

23 (F) AUDIT AND MONITORING.--THE COMMITTEE SHALL RANDOMLY  
24 AUDIT AND MONITOR GRANT RECIPIENTS TO ENSURE THE APPROPRIATE USE  
25 OF GRANT FUNDS AND COMPLIANCE WITH PROVISIONS OF THE GRANT  
26 PROGRAM.

27 (G) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING  
28 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS  
29 SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

30 "SCHOOL ENTITY." A SCHOOL DISTRICT, AREA CAREER AND

1 TECHNICAL SCHOOL, INTERMEDIATE UNIT, CHARTER SCHOOL, REGIONAL  
2 CHARTER SCHOOL AND CYBER CHARTER SCHOOL.

3 SECTION 16. SECTION 1316-B(B) OF THE ACT, ADDED JULY 8, 2022  
4 (P.L.620, NO.55), IS AMENDED TO READ:

5 SECTION 1316-B. SCHOOL SAFETY AND SECURITY COORDINATOR  
6 TRAINING.

7 \* \* \*

8 (B) REQUIRED TRAINING.--

9 (1) THE COMMITTEE SHALL ADOPT THE REQUIRED TRAINING  
10 HOURS FOR THE TRAINING DEVELOPED UNDER SUBSECTION (A). THE  
11 COMMITTEE MAY NOT REQUIRE MORE THAN SEVEN HOURS OF TRAINING  
12 FOR THE SCHOOL SAFETY AND SECURITY COORDINATOR ANNUALLY. THE  
13 TRAINING SHALL BE IN ADDITION TO OTHER TRAINING REQUIREMENTS  
14 FOR SCHOOL ADMINISTRATORS.

15 (2) EMPLOYEES REQUIRED TO UNDERGO CONTINUING  
16 PROFESSIONAL EDUCATION UNDER SECTION 1205.2 AND 1205.5 SHALL  
17 RECEIVE CREDIT TOWARD THEIR CONTINUING PROFESSIONAL EDUCATION  
18 REQUIREMENTS.

19 \* \* \*

20 SECTION 17. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:  
21 SECTION 1319-B. REPORTING AND MEMORANDUM OF UNDERSTANDING.

22 (A) DATA REPORTING AND ACCESS.--IN COLLABORATION AND  
23 COORDINATION WITH THE COMMITTEE, THE DEPARTMENT SHALL COLLECT  
24 INFORMATION AS REQUIRED BY THIS SECTION. THE COMMITTEE MAY  
25 REQUEST INFORMATION COLLECTED BY THE DEPARTMENT UNDER THIS  
26 SECTION. THE DEPARTMENT SHALL PROVIDE THE INFORMATION REQUESTED  
27 NO LATER THAN 10 DAYS AFTER THE REQUEST DATE TO THE EXTENT  
28 PERMITTED BY LAW.

29 (B) REPORTING BY CHIEF SCHOOL ADMINISTRATOR.--A CHIEF SCHOOL  
30 ADMINISTRATOR SHALL REPORT TO THE DEPARTMENT BY JULY 31 OF EACH



1 YEAR ALL NEW INCIDENTS INVOLVING ACTS OF VIOLENCE, POSSESSION OF  
2 A WEAPON OR POSSESSION, USE OR SALE OF CONTROLLED SUBSTANCES AS  
3 DEFINED IN THE ACT OF APRIL 14, 1972 (P.L.233, NO.64), KNOWN AS  
4 THE CONTROLLED SUBSTANCE, DRUG, DEVICE AND COSMETIC ACT, OR  
5 POSSESSION, USE OR SALE OF ALCOHOL OR TOBACCO BY ANY PERSON ON  
6 SCHOOL PROPERTY. THE REPORT SHALL INCLUDE ALL INCIDENTS  
7 INVOLVING CONDUCT THAT CONSTITUTES A CRIMINAL OFFENSE LISTED  
8 UNDER SUBSECTION (B) (7) AND (8). REPORTS, ON A FORM TO BE  
9 DEVELOPED AND PROVIDED BY THE DEPARTMENT, IN COLLABORATION AND  
10 COORDINATION WITH THE COMMITTEE, SHALL INCLUDE:

11 (1) THE AGE OR GRADE OF THE STUDENTS INVOLVED.

12 (2) THE NAME AND ADDRESS OF SCHOOL.

13 (3) THE CIRCUMSTANCES SURROUNDING THE INCIDENT,  
14 INCLUDING, BUT NOT LIMITED TO, THE TYPE OF WEAPON, CONTROLLED  
15 SUBSTANCE, ALCOHOL OR TOBACCO, THE DATE, TIME AND LOCATION OF  
16 THE INCIDENT, IF A PERSON OTHER THAN A STUDENT IS INVOLVED IN  
17 THE INCIDENT AND ANY RELATIONSHIP OF THE PERSON TO THE SCHOOL  
18 ENTITY.

19 (4) THE RACE OF THE STUDENTS INVOLVED.

20 (5) WHETHER THE STUDENTS HAVE AN INDIVIDUALIZED  
21 EDUCATION PLAN UNDER 20 U.S.C. CH.33 (RELATING TO EDUCATION  
22 FOR INDIVIDUALS WITH DISABILITIES) AND, IF SO, THE TYPE OF  
23 DISABILITY.

24 (6) ANY SANCTION IMPOSED BY THE SCHOOL.

25 (7) A LIST OF CRIMINAL OFFENSES WHICH MAY, AT A MINIMUM,  
26 INCLUDE:

27 (I) THE FOLLOWING OFFENSES UNDER 18 PA.C.S.

28 (RELATING TO CRIMES AND OFFENSES):

29 SECTION 908 (RELATING TO PROHIBITED OFFENSIVE  
30 WEAPONS).

1           SECTION 912 (RELATING TO POSSESSION OF WEAPON ON  
2 SCHOOL PROPERTY) .  
3           CHAPTER 25 (RELATING TO CRIMINAL HOMICIDE) .  
4           SECTION 2702 (RELATING TO AGGRAVATED ASSAULT) .  
5           SECTION 2709.1 (RELATING TO STALKING) .  
6           SECTION 2901 (RELATING TO KIDNAPPING) .  
7           SECTION 2902 (RELATING TO UNLAWFUL RESTRAINT) .  
8           SECTION 3121 (RELATING TO RAPE) .  
9           SECTION 3122.1 (RELATING TO STATUTORY SEXUAL  
10 ASSAULT) .  
11           SECTION 3123 (RELATING TO INVOLUNTARY DEVIATE SEXUAL  
12 INTERCOURSE) .  
13           SECTION 3124.1 (RELATING TO SEXUAL ASSAULT) .  
14           SECTION 3124.2 (RELATING TO INSTITUTIONAL SEXUAL  
15 ASSAULT) .  
16           SECTION 3125 (RELATING TO AGGRAVATED INDECENT  
17 ASSAULT) .  
18           SECTION 3126 (RELATING TO INDECENT ASSAULT) .  
19           SECTION 3301 (RELATING TO ARSON AND RELATED  
20 OFFENSES) .  
21           SECTION 3307 (RELATING TO INSTITUTIONAL VANDALISM)  
22 WHEN THE OFFENSE IS A FELONY OF THE THIRD DEGREE .  
23           SECTION 3502 (RELATING TO BURGLARY) .  
24           SECTION 3503(A) AND (B) (1) (V) (RELATING TO CRIMINAL  
25 TRESPASS) .  
26           SECTION 5501 (RELATING TO RIOT) .  
27           SECTION 6110.1 (RELATING TO POSSESSION OF FIREARM BY  
28 MINOR) .  
29           (II) THE POSSESSION, USE OR SALE OF A CONTROLLED  
30 SUBSTANCE OR DRUG PARAPHERNALIA AS DEFINED IN THE

1 CONTROLLED SUBSTANCE, DRUG, DEVICE AND COSMETIC ACT.

2 (III) AN ATTEMPT, SOLICITATION OR CONSPIRACY TO  
3 COMMIT AN OFFENSE LISTED IN SUBCLAUSES (I) AND (II).

4 (IV) AN OFFENSE FOR WHICH REGISTRATION IS REQUIRED  
5 UNDER 42 PA.C.S. § 9799.55 (RELATING TO REGISTRATION).

6 (8) THE FOLLOWING OFFENSES UNDER 18 PA.C.S. AND ANY  
7 ATTEMPT, SOLICITATION OR CONSPIRACY TO COMMIT ANY OF THESE  
8 OFFENSES:

9 SECTION 2701 (RELATING TO SIMPLE ASSAULT).

10 SECTION 2705 (RELATING TO RECKLESSLY ENDANGERING ANOTHER  
11 PERSON).

12 SECTION 2706 (RELATING TO TERRORISTIC THREATS).

13 SECTION 2709 (RELATING TO HARASSMENT).

14 SECTION 3127 (RELATING TO INDECENT EXPOSURE).

15 SECTION 3307 WHEN THE OFFENSE IS A MISDEMEANOR OF THE  
16 SECOND DEGREE.

17 SECTION 3503(B)(1)(I), (II), (III) AND (IV), (B.1) AND  
18 (B.2).

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

20 SECTION 5502 (RELATING TO FAILURE OF DISORDERLY PERSONS  
21 TO DISPERSE UPON OFFICIAL ORDER).

22 SECTION 5503 (RELATING TO DISORDERLY CONDUCT).

23 SECTION 6305 (RELATING TO SALE OF TOBACCO PRODUCTS).

24 SECTION 6306.1 (RELATING TO USE OF TOBACCO PRODUCTS IN  
25 SCHOOLS PROHIBITED).

26 SECTION 6308 (RELATING TO PURCHASE, CONSUMPTION,  
27 POSSESSION OR TRANSPORTATION OF LIQUOR OR MALT OR BREWED  
28 BEVERAGES).

29 (9) NOTIFICATION OF LAW ENFORCEMENT.

30 (10) REMEDIAL PROGRAMS INVOLVED.

1           (11) PARENTAL INVOLVEMENT REQUIRED.

2           (12) ARRESTS, CONVICTIONS AND ADJUDICATIONS, IF KNOWN.

3           (C) DUTIES.--PRIOR TO SUBMITTING THE REPORT REQUIRED UNDER  
4 SUBSECTION (B), EACH CHIEF SCHOOL ADMINISTRATOR AND EACH LAW  
5 ENFORCEMENT AGENCY HAVING JURISDICTION OVER SCHOOL PROPERTY OF  
6 THE SCHOOL ENTITY SHALL COMPLY WITH THE FOLLOWING:

7           (1) NO LATER THAN 30 DAYS PRIOR TO THE DEADLINE FOR  
8 SUBMITTING THE REPORT TO THE DEPARTMENT REQUIRED UNDER  
9 SUBSECTION (B), THE CHIEF SCHOOL ADMINISTRATOR SHALL SUBMIT  
10 THE REPORT TO THE LAW ENFORCEMENT AGENCY WITH JURISDICTION  
11 OVER THE RELEVANT SCHOOL PROPERTY. THE LAW ENFORCEMENT AGENCY  
12 SHALL REVIEW THE REPORT AND COMPARE THE DATA REGARDING  
13 CRIMINAL OFFENSES AND NOTIFICATION OF LAW ENFORCEMENT TO  
14 DETERMINE WHETHER THE REPORT ACCURATELY REFLECTS LAW  
15 ENFORCEMENT INCIDENT DATA.

16           (2) NO LATER THAN 15 DAYS PRIOR TO THE DEADLINE FOR THE  
17 CHIEF SCHOOL ADMINISTRATOR TO SUBMIT THE REPORT REQUIRED  
18 UNDER SUBSECTION (B), THE LAW ENFORCEMENT AGENCY SHALL NOTIFY  
19 THE CHIEF SCHOOL ADMINISTRATOR, IN WRITING, WHETHER THE  
20 REPORT ACCURATELY REFLECTS LAW ENFORCEMENT INCIDENT DATA.  
21 WHERE THE LAW ENFORCEMENT AGENCY DETERMINES THAT THE REPORT  
22 ACCURATELY REFLECTS LAW ENFORCEMENT INCIDENT DATA, THE CHIEF  
23 OF POLICE SHALL SIGN THE REPORT. IF THE LAW ENFORCEMENT  
24 AGENCY DETERMINES THAT THE REPORT DOES NOT ACCURATELY REFLECT  
25 LAW ENFORCEMENT INCIDENT DATA, THE LAW ENFORCEMENT AGENCY  
26 SHALL INDICATE ANY DISCREPANCY BETWEEN THE REPORT AND LAW  
27 ENFORCEMENT INCIDENT DATA.

28           (3) PRIOR TO SUBMITTING THE REPORT REQUIRED UNDER  
29 SUBSECTION (B), THE CHIEF SCHOOL ADMINISTRATOR AND THE LAW  
30 ENFORCEMENT AGENCY SHALL ATTEMPT TO RESOLVE ANY DISCREPANCY

1 BETWEEN THE REPORT AND LAW ENFORCEMENT INCIDENT DATA. IF A  
2 DISCREPANCY REMAINS UNRESOLVED, THE LAW ENFORCEMENT AGENCY  
3 SHALL NOTIFY THE CHIEF SCHOOL ADMINISTRATOR AND THE  
4 DEPARTMENT IN WRITING.

5 (4) IF A LAW ENFORCEMENT AGENCY FAILS TO TAKE ACTION AS  
6 REQUIRED UNDER PARAGRAPH (2) OR (3), THE CHIEF SCHOOL  
7 ADMINISTRATOR SHALL SUBMIT THE REPORT REQUIRED UNDER  
8 SUBSECTION (B) AND INDICATE THAT THE LAW ENFORCEMENT AGENCY  
9 FAILED TO TAKE ACTION AS REQUIRED UNDER PARAGRAPH (2) OR (3),  
10 AS APPLICABLE.

11 (D) ADVISORY COMMITTEE.--A CHIEF SCHOOL ADMINISTRATOR SHALL  
12 FORM AN ADVISORY COMMITTEE COMPOSED OF RELEVANT SCHOOL STAFF,  
13 INCLUDING, BUT NOT LIMITED TO, PRINCIPALS, SECURITY PERSONNEL,  
14 SCHOOL SAFETY AND SECURITY COORDINATOR, EMERGENCY SERVICES  
15 PERSONNEL, SCHOOL SECURITY PERSONNEL, GUIDANCE COUNSELORS AND  
16 SPECIAL EDUCATION ADMINISTRATORS TO ASSIST IN THE DEVELOPMENT OF  
17 A MEMORANDUM OF UNDERSTANDING UNDER THIS SECTION. IN  
18 CONSULTATION WITH THE ADVISORY COMMITTEE, THE CHIEF SCHOOL  
19 ADMINISTRATOR SHALL ENTER INTO A MEMORANDUM OF UNDERSTANDING  
20 WITH LAW ENFORCEMENT AGENCIES HAVING JURISDICTION OVER SCHOOL  
21 PROPERTY OF THE SCHOOL ENTITY. THE CHIEF SCHOOL ADMINISTRATOR  
22 SHALL SUBMIT A COPY OF THE MEMORANDUM OF UNDERSTANDING TO THE  
23 DEPARTMENT BY JUNE 30, 2024, AND BIENNIALY UPDATE AND RE-  
24 EXECUTE A MEMORANDUM OF UNDERSTANDING WITH LAW ENFORCEMENT AND  
25 FILE THE MEMORANDUM WITH THE DEPARTMENT ON A BIENNIAL BASIS. THE  
26 MEMORANDUM OF UNDERSTANDING SHALL BE SIGNED BY THE CHIEF SCHOOL  
27 ADMINISTRATOR, THE CHIEF OF POLICE OF THE LAW ENFORCEMENT AGENCY  
28 WITH JURISDICTION OVER THE RELEVANT SCHOOL PROPERTY AND  
29 PRINCIPALS OF EACH SCHOOL BUILDING OF THE SCHOOL ENTITY. THE  
30 MEMORANDUM OF UNDERSTANDING SHALL COMPLY WITH THE REGULATIONS

1 PROMULGATED UNDER SECTION 1306.2-B AND SHALL ALSO INCLUDE:

2 (1) A PROCEDURE FOR LAW ENFORCEMENT AGENCY REVIEW OF THE  
3 ANNUAL REPORT REQUIRED UNDER SUBSECTION (B) PRIOR TO THE  
4 CHIEF SCHOOL ADMINISTRATOR FILING THE REPORT WITH THE  
5 DEPARTMENT.

6 (2) A PROCEDURE FOR THE RESOLUTION OF A SCHOOL VIOLENCE  
7 DATA DISCREPANCY IN THE REPORT PRIOR TO FILING THE REPORT  
8 REQUIRED WITH THE DEPARTMENT.

9 (3) ADDITIONAL MATTERS PERTAINING TO CRIME PREVENTION  
10 AGREED TO BETWEEN THE CHIEF SCHOOL ADMINISTRATOR AND THE LAW  
11 ENFORCEMENT AGENCY.

12 (E) CONSTRUCTION.--PURSUANT TO 20 U.S.C. § 1415(K)(6)  
13 (RELATING TO PROCEDURAL SAFEGUARDS), NOTHING IN SECTION 1302.1-A  
14 OR THIS SECTION SHALL BE CONSTRUED TO PROHIBIT A SCHOOL ENTITY  
15 FROM REPORTING A CRIME COMMITTED BY A CHILD WITH A DISABILITY TO  
16 APPROPRIATE AUTHORITIES OR TO PREVENT STATE LAW ENFORCEMENT AND  
17 JUDICIAL AUTHORITIES FROM EXERCISING THEIR RESPONSIBILITIES WITH  
18 REGARD TO THE APPLICATION OF FEDERAL AND STATE LAW TO CRIMES  
19 COMMITTED BY A CHILD WITH A DISABILITY.

20 (F) NONCOMPLIANCE.--IF A SCHOOL ENTITY OR LAW ENFORCEMENT  
21 AGENCY FAILS TO COMPLY WITH THE PROVISIONS OF THIS SECTION, THE  
22 SCHOOL ENTITY OR LAW ENFORCEMENT AGENCY MAY NOT BE AWARDED ANY  
23 GRANT ADMINISTERED BY THE COMMITTEE UNTIL SUCH TIME AS THE  
24 SCHOOL ENTITY OR LAW ENFORCEMENT AGENCY HAS COMPLIED WITH THIS  
25 SECTION.

26 (G) REPORT TO THE GENERAL ASSEMBLY.--

27 (1) THE COMMITTEE SHALL REVIEW AND MAKE RECOMMENDATIONS  
28 IN A REPORT TO THE GENERAL ASSEMBLY RELATING TO THE  
29 FOLLOWING:

30 (I) ALL REQUIRED REPORTING UNDER THIS SECTION,

1 INCLUDING CONSIDERATION OF THE CRIMINAL OFFENSES UNDER  
2 SUBSECTION (B) (7) AND (8).

3 (II) ALL REQUIRED REPORTING UNDER THIS ARTICLE AND  
4 ARTICLE XIII-C.

5 (2) THE RECOMMENDATIONS SHALL, AT A MINIMUM, INCLUDE  
6 WHETHER THE APPROPRIATE AMOUNT OF DATA IS BEING COLLECTED  
7 AND, IF APPLICABLE, PROPOSED ELIMINATION OF ANY DUPLICATIVE  
8 REPORTING REQUIREMENTS.

9 (3) THE COMMITTEE SHALL TRANSMIT NOTICE OF THE REPORTS  
10 UNDER SUBPARAGRAPHS (1) AND (2) TO THE DEPARTMENT AND THE  
11 GENERAL ASSEMBLY. THE COMMITTEE SHALL TRANSMIT NOTICE OF THE  
12 REPORTS TO THE LEGISLATIVE REFERENCE BUREAU FOR PUBLICATION  
13 IN THE NEXT AVAILABLE ISSUE OF THE PENNSYLVANIA BULLETIN.  
14 SECTION 1320-B. SAFE SCHOOLS ADVOCATE IN SCHOOL DISTRICTS OF  
15 THE FIRST CLASS.

16 (A) ESTABLISHMENT.--THE EXECUTIVE DIRECTOR OF THE COMMISSION  
17 SHALL ESTABLISH, WITHIN THE COMMISSION, A SAFE SCHOOLS ADVOCATE  
18 FOR EACH SCHOOL DISTRICT. THE SAFE SCHOOLS ADVOCATE SHALL NOT BE  
19 SUBJECT TO 71 PA.C.S. PT. III (RELATING TO CIVIL SERVICE  
20 REFORM). THE ADVOCATE SHALL ESTABLISH AND MAINTAIN AN OFFICE  
21 WITHIN THE SCHOOL DISTRICT.

22 (B) POWERS AND DUTIES.--THE SAFE SCHOOLS ADVOCATE SHALL HAVE  
23 THE POWER AND ITS DUTIES SHALL BE:

24 (1) TO MONITOR ON AN ANNUAL BASIS, THE SCHOOL DISTRICT'S  
25 COMPLIANCE WITH THIS SECTION AND THE MEMORANDUM OF  
26 UNDERSTANDING WITH THE APPROPRIATE LOCAL LAW ENFORCEMENT  
27 AGENCY BY SELECTING, REVIEWING AND ANALYZING A SAMPLE OF THE  
28 SCHOOL DISTRICT'S REPORTING UNDER SECTION 1319-B.

29 (2) FOR THE PURPOSES OF VICTIM ADVOCACY AND TO ASSIST IN  
30 THE ANNUAL MONITORING PROCESS UNDER PARAGRAPH (1), TO HAVE

1 DIRECT ACCESS TO THE SCHOOL DISTRICT'S INTERNAL DOCUMENT  
2 SUPPORTING THE INFORMATION REQUIRED TO BE REPORTED UNDER  
3 SECTION 1319-B.

4 (3) TO MONITOR THE SCHOOL DISTRICT'S COMPLIANCE WITH THE  
5 MANDATORY EXPULSION REQUIREMENTS OF SECTIONS 1317.2 AND  
6 1318.1.

7 (4) TO RECEIVE INQUIRIES FROM SCHOOL STAFF AND PARENTS  
8 OR GUARDIANS OF STUDENTS WHO ARE VICTIMS OF CONDUCT THAT  
9 CONSTITUTES A CRIMINAL OFFENSE ON SCHOOL PROPERTY OR TO OR  
10 FROM SCHOOL.

11 (5) TO ESTABLISH A PROTOCOL, IN CONSULTATION WITH THE  
12 JUVENILE COURT JUDGES' COMMISSION, TO ASSURE TIMELY RECEIPT  
13 BY THE SCHOOL DISTRICT OF INFORMATION REGARDING STUDENTS WHO  
14 HAVE BEEN ADJUDICATED DELINQUENT UNDER 42 PA.C.S. § 6341(B.1)  
15 (RELATING TO ADJUDICATION) AND TO MONITOR THE SCHOOL  
16 DISTRICT'S USE OF THAT INFORMATION TO ENSURE THAT VICTIMS ARE  
17 PROTECTED.

18 (6) TO ESTABLISH A PROGRAM TO ASSURE EXTENSIVE AND  
19 CONTINUING PUBLIC AWARENESS OF INFORMATION REGARDING THE ROLE  
20 OF THE ADVOCATE ON BEHALF OF VICTIMS OF CONDUCT THAT  
21 CONSTITUTES A CRIMINAL OFFENSE ON SCHOOL PROPERTY OR TO OR  
22 FROM SCHOOL, WHICH MAY INCLUDE THE MAILING OF INFORMATION TO  
23 THE PARENTS OR GUARDIANS OF STUDENTS IN THE SCHOOL DISTRICT  
24 OR OTHER FORMS OF COMMUNICATION.

25 (7) TO PREPARE AN ANNUAL REPORT REGARDING THE ACTIVITIES  
26 OF THE ADVOCATE DURING THE PRIOR FISCAL YEAR AND ANY  
27 RECOMMENDATION FOR REMEDIAL LEGISLATION, REGULATION OR SCHOOL  
28 DISTRICT ADMINISTRATIVE REFORM, WHICH SHALL BE SUBMITTED TO  
29 THE SCHOOL DISTRICT SUPERINTENDENT, THE SECRETARY, THE  
30 EXECUTIVE DIRECTOR OF THE COMMISSION, THE CHAIRPERSON OF THE



1 EDUCATION COMMITTEE OF THE SENATE AND THE CHAIRPERSON OF THE  
2 EDUCATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES BY AUGUST  
3 15 OF EACH YEAR.

4 (C) ADDITIONAL DUTIES.--A SAFE SCHOOLS ADVOCATE SHALL, ON  
5 BEHALF OF VICTIMS OF CONDUCT THAT CONSTITUTES A CRIMINAL OFFENSE  
6 ON SCHOOL PROPERTY OR VICTIMS OF AT LEAST TWO INFRACTIONS OF THE  
7 SCHOOL DISTRICT'S CODE OF CONDUCT:

8 (1) PROVIDE ASSISTANCE AND ADVICE, INCLUDING INFORMATION  
9 ON SUPPORT SERVICES PROVIDED BY VICTIM ASSISTANCE OFFICES OF  
10 THE APPROPRIATE DISTRICT ATTORNEY AND THROUGH LOCAL  
11 COMMUNITY-BASED VICTIM SERVICE AGENCIES.

12 (2) PROVIDE INFORMATION TO THE PARENT OR GUARDIAN OF A  
13 STUDENT VICTIM REGARDING THE DISCIPLINARY PROCESS AND ANY  
14 ACTION ULTIMATELY TAKEN AGAINST THE STUDENT ACCUSED OF  
15 COMMITTING THE CONDUCT THAT CONSTITUTES A CRIMINAL OFFENSE.

16 (3) IF THE POSSESSION OR USE OF A WEAPON IS INVOLVED,  
17 ADVISE THE PARENT OR GUARDIAN OF THE VICTIM WHETHER THE  
18 SCHOOL DISTRICT PROPERLY EXERCISED ITS DUTY UNDER SECTION  
19 1317.2.

20 (4) IF THE ADVOCATE HAS RECEIVED A REQUEST BY THE PARENT  
21 OR GUARDIAN OF THE VICTIM, ATTEND FORMAL DISCIPLINARY  
22 PROCEEDINGS.

23 (5) WITH THE CONSENT OF THE PARENT OR GUARDIAN OF THE  
24 VICTIM, PARTICIPATE AND PRESENT INFORMATION IN THE  
25 DISCIPLINARY PROCEEDING, WHICH MAY INCLUDE:

26 (I) MAKING ORAL OR WRITTEN PRESENTATIONS, INCLUDING  
27 TESTIMONY BY THE VICTIM OR THE PARENT OR GUARDIAN OF THE  
28 VICTIM, REGARDING THE IMPACT ON THE VICTIM AND THE  
29 VICTIM'S FAMILY AND THE APPROPRIATE DISCIPLINARY ACTION;  
30 AND

1           (II) CONDUCTING DIRECT OR CROSS-EXAMINATION OF  
2           WITNESSES.

3           (6) IF THE PERPETRATOR OF CONDUCT THAT CONSTITUTES A  
4           CRIMINAL OFFENSE RETURNS TO SCHOOL AFTER PLACEMENT UNDER A  
5           CONSENT DECREE, ADJUDICATION OF DELINQUENCY OR CONVICTION OF  
6           A CRIMINAL OFFENSE, ASSIST THE PARENT OR GUARDIAN OF THE  
7           VICTIM IN PROVIDING INPUT TO THE SCHOOL DISTRICT AND THE  
8           APPROPRIATE JUVENILE OR CRIMINAL JUSTICE AUTHORITY TO ENSURE  
9           THE VICTIM'S SAFETY ON SCHOOL PROPERTY.

10           (7) IF A SCHOOL DISTRICT HAS FAILED TO REPORT TO THE  
11           APPROPRIATE LAW ENFORCEMENT AGENCY AS REQUIRED BY THE  
12           MEMORANDUM OF UNDERSTANDING, REPORT THE ACT DIRECTLY.

13           (8) PROVIDE INFORMATION TO THE OFFICE OF THE DISTRICT  
14           ATTORNEY REGARDING THE IMPACT OF THE CONDUCT THAT CONSTITUTES  
15           A CRIMINAL OFFENSE ON THE VICTIM AND THE VICTIM'S FAMILY.

16           (D) NOTIFICATION.--

17           (1) UPON DISCOVERY OF THE COMMISSION OF CONDUCT THAT  
18           CONSTITUTES A CRIMINAL OFFENSE UPON A STUDENT, THE SCHOOL  
19           DISTRICT SHALL IMMEDIATELY NOTIFY THE SAFE SCHOOLS ADVOCATE  
20           OF THE INCIDENT, INCLUDING THE DETAILS OF THE INCIDENT AND  
21           ALL OF THE INDIVIDUALS INVOLVED, AND IMMEDIATELY NOTIFY THE  
22           VICTIM, THE VICTIM'S PARENT OR LEGAL GUARDIAN.

23           (2) THE FORM OF THE NOTICE TO THE VICTIM OR THE VICTIM'S  
24           PARENT OR LEGAL GUARDIAN SHALL BE DEVELOPED BY THE ADVOCATE  
25           AND PROVIDED TO THE SCHOOL DISTRICT AND SHALL INCLUDE THE  
26           ADDRESS AND TELEPHONE NUMBER OF THE ADVOCATE AND A BRIEF  
27           DESCRIPTION OF THE PURPOSES AND FUNCTIONS OF THE SAFE SCHOOLS  
28           ADVOCATE.

29           (3) THE PRINCIPAL OF EACH SCHOOL WITHIN THE SCHOOL  
30           DISTRICT SHALL POST A NOTICE NOT LESS THAN 8 1/2" BY 11"

1 ENTITLED "SAFE SCHOOLS ADVOCATE" AT A PROMINENT LOCATION  
2 WITHIN EACH SCHOOL BUILDING, WHERE NOTICES ARE USUALLY  
3 POSTED.

4 (4) THE FORM OF THE NOTICE SHALL ALSO BE DEVELOPED BY  
5 THE SAFE SCHOOLS ADVOCATE AND PROVIDED TO THE SCHOOL  
6 DISTRICT.

7 (E) COOPERATION.--SCHOOL ADMINISTRATORS IN A SCHOOL DISTRICT  
8 SHALL COOPERATE WITH THE SAFE SCHOOLS ADVOCATE TO IMPLEMENT THIS  
9 SECTION AND PROVIDE THE ADVOCATE, UPON REQUEST, WITH ALL  
10 AVAILABLE INFORMATION AUTHORIZED BY STATE LAW.

11 (F) APPLICABLE PROVISIONS.--THE ADVOCATE AND ALL EMPLOYEES  
12 AND AGENTS OF THE SAFE SCHOOLS ADVOCATE SHALL BE SUBJECT TO AND  
13 20 U.S.C. § 1232G (RELATING TO FAMILY EDUCATIONAL AND PRIVACY  
14 RIGHTS) AND 34 CFR PT. 99 (RELATING TO FAMILY EDUCATIONAL RIGHTS  
15 AND PRIVACY).

16 (G) LIMITATION.--THIS SECTION SHALL NOT APPLY TO THE EXTENT  
17 THAT IT WOULD CONFLICT WITH THE REQUIREMENTS OF 20 U.S.C. CH. 33  
18 (RELATING TO EDUCATION OF INDIVIDUALS WITH DISABILITIES) OR  
19 OTHER APPLICABLE FEDERAL STATUTE OR REGULATION.

20 (H) STANDING.--

21 (1) IF A STUDENT IN A SCHOOL DISTRICT IS A VICTIM OF AN  
22 ACT OF VIOLENCE INVOLVING A WEAPON ON SCHOOL DISTRICT  
23 PROPERTY AND THE STUDENT WHO POSSESSED THE WEAPON WAS NOT  
24 EXPELLED UNDER SECTION 1317.2, THE PARENT OR GUARDIAN OF THE  
25 VICTIM SHALL HAVE STANDING TO INSTITUTE A LEGAL PROCEEDING TO  
26 OBTAIN EXPULSION OF THE STUDENT.

27 (2) THE OFFICE OF GENERAL COUNSEL SHALL HAVE STANDING TO  
28 BRING AN ACTION ON BEHALF OF A VICTIM OR THE PARENT OR  
29 GUARDIAN OF A VICTIM OF AN ACT OF VIOLENCE IN A SCHOOL IN A  
30 SCHOOL DISTRICT TO MODIFY, CLARIFY OR ELIMINATE A CONSENT

1 DECREE THAT IS RELATED TO DISCIPLINE IN THE SCHOOL DISTRICT  
2 IF, IN CONSULTATION WITH THE ADVOCATE, THE OFFICE OF GENERAL  
3 COUNSEL BELIEVES THAT THE ACTION IS IN THE BEST INTERESTS OF  
4 THE STUDENTS OF THE SCHOOL DISTRICT.

5 (3) THE EXECUTIVE DIRECTOR OF THE COMMISSION, IN  
6 CONSULTATION WITH THE GENERAL COUNSEL, MAY DESIGNATE A  
7 PORTION OF THE FUNDS PROVIDED FOR THE SAFE SCHOOLS ADVOCATE:

8 (I) FOR CONTRACTS FOR LEGAL SERVICES TO ASSIST LOW-  
9 INCOME PARENTS OR GUARDIANS OF VICTIMS TO OBTAIN LEGAL  
10 SERVICES FOR PROCEEDINGS UNDER SUBSECTION (A).

11 (II) TO CHALLENGE A CONSENT DECREE UNDER SUBSECTION  
12 (B) OR TO BRING AN ACTION UNDER THIS ACT.

13 (4) THE DESIGNATION OF ATTORNEYS TO RECEIVE FUNDS UNDER  
14 THIS SUBSECTION SHALL BE WITHIN THE DISCRETION OF THE OFFICE  
15 OF GENERAL COUNSEL AFTER CONSULTATION WITH THE SAFE SCHOOLS  
16 ADVOCATE.

17 (5) DESIGNATED FUNDS NOT EXPENDED UNDER THIS SUBSECTION  
18 SHALL LAPSE TO THE GENERAL FUND.

19 (6) LEGAL PROCEEDINGS UNDER THIS SECTION SHALL BE  
20 CONDUCTED BY AN ATTORNEY DESIGNATED BY THE OFFICE OF GENERAL  
21 COUNSEL IN CONSULTATION WITH THE SAFE SCHOOLS ADVOCATE. THE  
22 ATTORNEY MUST BE A MEMBER OF THE BAR IN GOOD STANDING.

23 (I) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING  
24 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS  
25 SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

26 "LOW-INCOME PARENT OR GUARDIAN." A PARENT WHOSE FAMILY  
27 INCOME IS NO GREATER THAN 250% OF THE FEDERAL POVERTY LEVEL.

28 "SCHOOL DISTRICT." A SCHOOL DISTRICT OF THE FIRST CLASS.

29 "VICTIM." AN INDIVIDUAL AGAINST WHOM A CRIME HAS BEEN  
30 COMMITTED OR ATTEMPTED AND WHO, AS A DIRECT RESULT OF THE

1 CRIMINAL ACT OR ATTEMPT, SUFFERS PHYSICAL OR MENTAL INJURY,  
2 DEATH OR THE LOSS OF EARNINGS AS THOSE TERMS ARE DEFINED UNDER  
3 SECTION 103 OF THE ACT OF NOVEMBER 24, 1998 (P.L.882, NO.111),  
4 KNOWN AS THE CRIME VICTIMS ACT. THE TERM MAY INCLUDE AN  
5 INDIVIDUAL EXERCISING SELF-DEFENSE WHEN ASSAULTED.  
6 SECTION 1321-B. ENFORCEMENT.

7 (A) PROCEDURE.--

8 (1) IF A SCHOOL DISTRICT OF THE FIRST CLASS FAILS TO  
9 COMPLY WITH THE REQUIREMENT TO PROVIDE INFORMATION TO THE  
10 SAFE SCHOOLS ADVOCATE UNDER SECTION 1320-B, THE ADVOCATE  
11 SHALL PROVIDE DOCUMENTATION OF THE FAILURE TO THE SECRETARY  
12 OF EDUCATION AND THE COMMISSION.

13 (2) IF THE SECRETARY OF EDUCATION DETERMINES THAT THERE  
14 IS NONCOMPLIANCE, THE SECRETARY SHALL DIRECT THE SCHOOL  
15 DISTRICT OF THE FIRST CLASS TO TAKE CORRECTIVE ACTION. IF THE  
16 SCHOOL DISTRICT OF THE FIRST CLASS FAILS TO TAKE CORRECTIVE  
17 ACTION WITHIN 60 DAYS, THE SECRETARY SHALL NOTIFY THE  
18 ADVOCATE AND THE OFFICE OF GENERAL COUNSEL. THE OFFICE OF  
19 GENERAL COUNSEL, IN CONSULTATION WITH THE SAFE SCHOOLS  
20 ADVOCATE, SHALL DESIGNATE AN ATTORNEY TO BRING AN ACTION IN A  
21 COURT OF COMPETENT JURISDICTION TO OBTAIN COMPLIANCE.

22 (3) IF THE SECRETARY OF EDUCATION DETERMINES THAT THE  
23 SCHOOL DISTRICT OF THE FIRST CLASS HAS COMPLIED WITH THE  
24 REQUIREMENTS TO PROVIDE INFORMATION TO THE SAFE SCHOOLS  
25 ADVOCATE, THE SECRETARY SHALL CONVENE A PUBLIC HEARING AT  
26 WHICH THE SAFE SCHOOLS ADVOCATE SHALL BE PERMITTED TO TESTIFY  
27 REGARDING THE ALLEGED NONCOMPLIANCE.

28 (4) LEGAL PROCEEDINGS UNDER THIS SUBSECTION SHALL BE  
29 CONDUCTED BY AN ATTORNEY DESIGNATED BY THE OFFICE OF GENERAL  
30 COUNSEL IN CONSULTATION WITH THE SAFE SCHOOLS ADVOCATE. THE

1 ATTORNEY MUST BE A MEMBER OF THE BAR IN GOOD STANDING.

2 (B) CONSTRUCTION OF ARTICLE AND OTHER LAWS.--NOTHING IN THIS  
3 ARTICLE OR ANY OTHER PROVISION OF LAW SHALL BE CONSTRUED AS  
4 GRANTING A RIGHT OF STATUS FOR OR PARTICIPATION BY THE SAFE  
5 SCHOOLS ADVOCATE IN A GRIEVANCE OR ARBITRATION PROCEEDING  
6 ARISING OUT OF A COLLECTIVE BARGAINING AGREEMENT.

7 SECTION 18. THE DEFINITION OF "THIRD-PARTY VENDOR" IN  
8 SECTION 1301-C OF THE ACT IS AMENDED AND THE SECTION IS AMENDED  
9 BY ADDING A DEFINITION TO READ:

10 SECTION 1301-C. DEFINITIONS.

11 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE  
12 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE  
13 CONTEXT CLEARLY INDICATES OTHERWISE:

14 \* \* \*

15 "COMMITTEE." THE SCHOOL SAFETY AND SECURITY COMMITTEE  
16 ESTABLISHED UNDER SECTION 1302-B.

17 \* \* \*

18 "THIRD-PARTY VENDOR." A COMPANY OR ENTITY APPROVED BY [THE  
19 OFFICE FOR SAFE SCHOOLS UNDER SECTION 1302-A(B) (8) OR] THE  
20 COMMISSION UNDER SECTION 1315-C(2) THAT PROVIDES SCHOOL SECURITY  
21 SERVICES.

22 SECTION 19. SECTION 1302-C OF THE ACT IS AMENDED BY ADDING A  
23 SUBSECTION TO READ:

24 SECTION 1302-C. SCHOOL POLICE OFFICERS.

25 \* \* \*

26 (C) REPORTING.--

27 (1) A SCHOOL ENTITY OR NONPUBLIC SCHOOL THAT HAS APPLIED  
28 TO THE COURT TO APPOINT A PERSON OR PERSONS TO ACT AS SCHOOL  
29 POLICE OFFICERS UNDER SUBSECTION (A) ON OR AFTER THE  
30 EFFECTIVE DATE OF THIS SUBSECTION SHALL, WITHIN 30 DAYS OF

1 APPROVAL OF THE APPOINTMENT FROM THE COURT, SUBMIT A COPY OF  
2 THE COURT'S ORDER TO THE COMMITTEE.

3 (2) A SCHOOL ENTITY OR NONPUBLIC SCHOOL THAT HAS  
4 PREVIOUSLY APPLIED TO THE COURT TO APPOINT A PERSON OR  
5 PERSONS TO ACT AS SCHOOL POLICE OFFICERS PRIOR TO THE  
6 EFFECTIVE DATE OF THIS SUBSECTION SHALL, WITHIN 120 DAYS OF  
7 THE EFFECTIVE DATE OF THIS PARAGRAPH, SUBMIT A COPY OF THE  
8 COURT'S ORDER RELATING TO THE APPOINTMENT OF EACH SCHOOL  
9 POLICE OFFICER TO THE COMMITTEE.

10 (3) THE PROVISIONS OF SECTION 1305-B(E) SHALL APPLY TO  
11 ANY DATA PROVIDED TO THE COMMITTEE UNDER THIS SUBSECTION.

12 SECTION 20. SECTIONS 1303-C AND 1314-C(B)(3)(I)(C) OF THE  
13 ACT ARE AMENDED TO READ:

14 SECTION 1303-C. ANNUAL REPORT.

15 A SCHOOL ENTITY OR NONPUBLIC SCHOOL WHICH EMPLOYS OR  
16 CONTRACTS FOR A SCHOOL POLICE OFFICER SHALL REPORT ANNUALLY TO  
17 THE DEPARTMENT, THE COMMITTEE AND THE COMMISSION THE FOLLOWING  
18 INFORMATION REGARDING SCHOOL POLICE OFFICERS RECEIVING TRAINING  
19 AS REQUIRED UNDER 53 PA.C.S. CH. 21 SUBCH. D (RELATING TO  
20 MUNICIPAL POLICE EDUCATION AND TRAINING):

21 (1) THE IDENTITY OF THE SCHOOL ENTITY OR NONPUBLIC  
22 SCHOOL AND THE NUMBER OF SCHOOL POLICE OFFICERS EMPLOYED OR  
23 CONTRACTED BY THE SCHOOL ENTITY OR NONPUBLIC SCHOOL.

24 (2) THE MUNICIPALITIES COMPRISING THE SCHOOL ENTITY OR  
25 IN WHICH THE NONPUBLIC SCHOOL IS LOCATED.

26 (3) THE DATE AND TYPE OF TRAINING PROVIDED TO EACH  
27 SCHOOL POLICE OFFICER.

28 SECTION 1314-C. SCHOOL SECURITY GUARDS.

29 \* \* \*

30 (B) TRAINING.--THE FOLLOWING SHALL APPLY:

1 \* \* \*

2 (3) AN ARMED SCHOOL SECURITY GUARD WHO IS EMPLOYED OR  
3 CONTRACTED BY A SCHOOL ENTITY OR NONPUBLIC SCHOOL BEFORE  
4 SEPTEMBER 2, 2019, SHALL HAVE UNTIL FEBRUARY 28, 2020, TO  
5 COMPLETE THE INSTRUCTION UNDER PARAGRAPH (1) UNLESS AN  
6 EXTENSION IS APPROVED THROUGH THE FOLLOWING PROCESS:

7 (I) THE GOVERNING BODY OF A SCHOOL ENTITY OR  
8 NONPUBLIC SCHOOL MAY APPROVE AN EXTENSION OF THE DEADLINE  
9 SPECIFIED IN THIS PARAGRAPH FOR ARMED SCHOOL SECURITY  
10 GUARDS TO COMPLETE THE REQUIRED INSTRUCTION DUE TO A  
11 HARDSHIP IN COMPLYING WITH THE DEADLINE. THE DEADLINE MAY  
12 BE EXTENDED TO NO LATER THAN THE BEGINNING OF THE 2020-  
13 2021 SCHOOL YEAR. THE FOLLOWING SHALL APPLY:

14 \* \* \*

15 (C) THE SCHOOL ENTITY OR NONPUBLIC SCHOOL SHALL  
16 SUBMIT THE APPROVED HARDSHIP EXTENSION TO [THE OFFICE  
17 OF SAFE SCHOOLS WITHIN] THE DEPARTMENT NOT LATER THAN  
18 15 DAYS FROM THE DATE OF APPROVAL. ANY DOCUMENTATION  
19 SUBMITTED UNDER THIS CLAUSE MAY NOT BE SUBJECT TO  
20 INSPECTION AND DUPLICATION UNDER THE ACT OF FEBRUARY  
21 14, 2008 (P.L.6, NO.3), KNOWN AS THE RIGHT-TO-KNOW  
22 LAW.

23 \* \* \*

24 SECTION 21. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.