AN ACT

Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," in preliminary provisions, further providing for SPECIAL EDUCATION FUNDING COMMISSION, FOR Basic Education Funding Commission and for special provisions applicable to limited school years COMMISSION ON EDUCATION AND ECONOMIC COMPETITIVENESS and providing for public job posting database, for instructional vacancy data and for data transparency; in grounds and buildings, further providing for limitation on new applications for Department of Education approval of public school building projects; in intermediate units, further providing for school safety and security enhancements; in certification of teachers, further providing for substitute teaching permit for prospective teachers, for locally issued temporary certification for substitute teachers and for permit for classroom monitors; providing for Interstate Teacher Mobility Compact and for Educator Pipeline Support Grant Program; in safe schools, further providing for definitions and for Office for Safe Schools, repealing provisions relating to regulations and to reporting, further providing for policy relating to bullying and for maintenance of records, repealing provisions relating to safe schools advocate in school districts of the first class, to standing, to enforcement and to construction of article and other laws; in school safety and security, further providing for definitions and for School Safety and Security Committee, providing for duties of committee, further providing for School Safety and Security Grant Program, providing for Targeted School Safety Grants for Nonpublic Schools and School Entities Program, for standardized protocols, for county safe schools' collaborative and for school mental health grants for 2023-2024 school year, further providing—
for school safety and security coordinator training and providing for reporting and memorandum of understanding, for safe schools advocate in school districts of the first class and for enforcement; in school security, further providing for definitions, for school police officers, for annual report and for school security guards; in drug and alcohol recovery high school program, further providing for scope of program and selection of students, providing for enrollment of students and further providing for academic programs; IN TERMS AND COURSES OF STUDY, FURTHER PROVIDING FOR ECONOMIC EDUCATION AND PERSONAL FINANCIAL LITERACY PROGRAMS; in early learning programs, providing for quarterly reporting; in high schools, further providing for attendance in other districts; in community colleges, further providing for financial program and reimbursement of payments; in funding for public libraries, providing for State aid for fiscal year 2023-2024; IN EDUCATIONAL TAX CREDITS, FURTHER PROVIDING FOR DEFINITIONS; IN CREDIT CARD MARKETING, FURTHER PROVIDING FOR REGULATION OF ON-CAMPUS CREDIT CARD MARKETING; in reimbursements by Commonwealth and between school districts, further providing for payments on account of pupils enrolled in career and technical curriculums, for payments to intermediate units, for assistance to school districts declared to be in financial recovery status or identified for financial watch status, for Ready-to-Learn Block Grant and for payment of required contribution for public school employees' Social Security; in construction and renovation of buildings by school entities, further providing for applicability; and making an editorial change; AND ABROGATING REGULATIONS.

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

Section 1. Sections 123(k)(2) and 129 of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, are amended to read:

SECTION 1.  SECTION 122(K)(3) OF THE ACT OF MARCH 10, 1949 (P.L.30, NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF 1949, ADDED JULY 8, 2022 (P.L.620, NO.55), IS AMENDED TO READ:

SECTION 122.  SPECIAL EDUCATION FUNDING COMMISSION.--* * *

(K) * * *

(3) THE COMMISSION SHALL BE RECONSTITUTED JANUARY 15, [2024] 2026, IN ACCORDANCE WITH SUBSECTION (C) AND SHALL MEET AND HOLD PUBLIC HEARINGS TO REVIEW THE OPERATION OF THE SPECIAL EDUCATION FUNDING PROVISIONS OF THIS SECTION, AND SHALL MAKE A FURTHER REPORT AND SHALL ISSUE THE REPORT TO THE RECIPIENTS LISTED IN

20230SB0843PN1290 - 2 -
SUBSECTION (I)(5) NO LATER THAN NOVEMBER 30, [2024] 2026. WHEN
IN RECEIPT OF THE REPORT RECOMMENDING CHANGES TO THE SPECIAL
EDUCATION FUNDING FORMULA, THE GENERAL ASSEMBLY SHALL CONSIDER
AND TAKE ACTION TO ENACT THE FORMULA INTO LAW IN ACCORDANCE WITH
SUBSECTION (J).

* * *

SECTION 2. SECTION 123(K)(2) OF THE ACT IS AMENDED TO READ:
Section 123. Basic Education Funding Commission.--* * *
(k) * * *
(2) Notwithstanding paragraph (1), the commission shall be
reconstituted July 1, 2022, and shall issue the report to the
recipients listed in subsection (i)(12) not later than [November
30, 2023 January 11, 2024].
* * *

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

SECTION 3. SECTION 123.1(J)(5) OF THE ACT, ADDED JULY 8, 2022 (P.L. 620, NO. 55), IS AMENDED TO READ:

SECTION 123.1. COMMISSION ON EDUCATION AND ECONOMIC COMPETITIVENESS.--* * *

(J) THE FOLLOWING SHALL APPLY TO DUTIES:

* * *

(5) UPON RECEIPT OF THE REPORT FROM THE SUBCOMMITTEE, THE COMMISSION SHALL SEEK PUBLIC COMMENT ON THE PROPOSED LONG-TERM VISION FOR A PERIOD THAT IS NO LESS THAN THREE (3) MONTHS AND ISSUE A FINAL REPORT WITH LEGISLATIVE RECOMMENDATIONS TO THE GENERAL ASSEMBLY [WITHIN EIGHTEEN (18) MONTHS OF THE COMMISSION'S CREATION] BY NOVEMBER 1, 2025.

* * *

Section 1.14. The act is amended by adding sections to read:

Section 130. Public Job Posting Database.--(a) The department shall establish and maintain a public database for school entities or nonpublic schools to voluntarily advertise employe vacancies on the department's publicly accessible Internet website. The database shall, at a minimum:

(1) Allow a school entity or nonpublic school to post in real time an employe vacancy. The department shall determine information to be required as part of a posting.

(2) Provide for a time-limited expiration of a posting made by a school entity or nonpublic school.

(3) Be searchable by, at a minimum, county, intermediate
unit, school entity, grade level, employe type and academic content area.

(4) Be made available at no cost to a school entity, nonpublic school or prospective employe.

(b) A school entity or nonpublic school may submit a posting to the database established under subsection (a) for an open position or an anticipated open position.

(c) The department may contract with a third party to operate the database established under subsection (a).

(d) As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

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

"Employe." The following:

(1) A "professional employe" as defined in section 1101(1).

(2) A paraprofessional or educational interpreter as described under 22 Pa. Code § 14.105 (relating to personnel).

(3) Any other employe in a school entity or nonpublic school as determined by the department.

"Nonpublic school." As defined in section 923.3-A(b).

"School entity." A school district, charter school, regional charter school, intermediate unit or area career and technical school operating within this Commonwealth.

Section 131. Instructional Vacancy Data.--(a) The department shall require a school entity to submit certain information relating to instructional vacancies, including, at a minimum, the number of instructional vacancies, the number of emergency permits utilized by a school entity and the number of positions occupied by long-term substitutes. The department.
shall determine the form and manner in which the information is
to be submitted by a school entity. To the best extent possible,
the department shall utilize existing reporting methods to
collect this data. By August 31, 2024, and each August 31
thereafter, each school entity shall report the following to the
department:

(1) The total budgeted complement of instructional employes
for that fiscal year and vacancies included in the final adopted
budget of a board of school directors.

(2) The quarterly average number of instructional employe
vacancies the school entity had during the school year.

(b) The department shall maintain the information collected
under subsection (a) on its publicly accessible Internet
website.

(c) As used in this section, the following words and phrases
shall have the meanings given to them in this subsection unless
the context clearly indicates otherwise:

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

"School entity." A school district, charter school, regional
charter school, intermediate unit or area career and technical
school operating within this Commonwealth.

Section 132. Data Transparency.--(a) To the extent that
funding is made available, no later than December 31 of each
year, the department shall post on its publicly accessible
Internet website data related to the educator workforce in this
Commonwealth that allows members of the public to view,
 disaggregate and manipulate the following data if collected by
the department:

(1) Educator supply data, including educator preparation

provider enrollment and completion data and education
professional certificates issued by the department,
disaggregated by categories, including program, certification
area and demographic information.

(2) Educator demand data, including current educator
workforce numbers, unfilled positions and rates, new hires and
emergency permits or out-of-field educators, disaggregated by
categories, including school entity, school, specific
assignment, certification area, type of emergency permit and
demographic information.

(3) Educator preparation program outcomes data, including
data on percentage of program enrollees who:

(i) Complete the program.
(ii) Pass the certification test on the first time and
overall.
(iii) Receive certification.
(iv) Are employed by a school entity in years one through
five.
(v) Are retained by a school entity in years one through
five.

(4) Educator retention at one-year, three-year and five-year
rates, disaggregated by categories, including school entity,
school, specific assignment, certification area, type of
emergency permit and demographic information.

(b) The department may contract with an outside organization
to meet the requirements of this section.

(c) No later than December 15, 2023, and each December 15
thereafter, the department, in consultation with the Department
of Labor and Industry, shall issue a report to the Governor and
General Assembly on the educator workforce in this Commonwealth.
The report shall be posted on the department's publicly accessible Internet website. The report shall include:

(1) Trends in educator supply and educator preparation provider effectiveness, including recommendations for attracting more high-quality and diverse teacher candidates and improving the quality of educator preparation in this Commonwealth.

(2) The educator positions, by certification area, in high demand in this Commonwealth and the location of existing vacancies by school entity.

(3) Projections of shortage areas and subjects in the upcoming three to five years and recommendations for addressing these shortages.

(4) Overall and disaggregated trends in educator retention, including recommendations for improving retention.

(d) As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

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

"School entity." A school district, cyber charter school, charter school, regional charter school, area career and technical school or intermediate unit.

Section 1.2. Section 732.1(a) of the act, amended July 8, 2022 (P.L.620, No.55), is amended to read:

year and each fiscal year thereafter, the Department of 
Education shall not accept or approve new school building 
construction or reconstruction project applications under this 
article.

***

Section 2. The definition of "school safety and security 
enhancements" in section 923.3 A(b) and subsection (c) of the 
act are amended to read:

Section 923.3 A. School Safety and Security Enhancements. * *

**(b)** Definitions. As used in this section:

***

"School safety and security enhancements" means programs 
which are designed to address school safety and security and 
listed in section [1302-A(e)] 1306.1-B(j), which are secular and 
nonideological in nature.

**(c)** Program of School Safety and Security Enhancements. A 
program of school security enhancements shall be provided by an 
intermediate unit in which a nonpublic school is located, in 
accordance with standards developed by the [Secretary of 
Education in consultation with the Office of Safe Schools and 
the Pennsylvania Commission on Crime and Delinquency.] School 
Safety and Security Committee established under section 1302-B 
in consultation with the Department of Education. Through the 
program, an intermediate unit shall make application for school 
safety and security enhancements upon the request of a nonpublic 
school or combination of nonpublic schools located within the 
intermediate unit. School safety and security enhancements for 
which grants are received shall be provided for or contracted 
for directly by the intermediate unit or loaned by the
intermediate unit to the nonpublic school.

Section 3. Section 1201.1(3) of the act is amended and the section is amended by adding a paragraph to read:

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

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

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

***

Section 4. Section 1215 of the act is amended to read:
Section 1215. Locally Issued Temporary Certification for
Substitute Teachers.—A temporary substitute teacher certificate
may be issued by a public school entity to an individual who
presents a letter from a college or university verifying that
the individual has completed an approved teacher preparation
program, has successfully completed the certification testing
requirements or is in the process of scheduling the required
certification testing and has completed all requirements for the
awarding of a bachelor's degree on a date certain. The temporary
substitute teacher certificate shall only be used for day-to-day
assignments and shall expire upon the termination of any summer
school conducted in the summer which follows the date of
issuance or upon the receipt of Instructional I certification by
the individual. [For the 2021-2022 and 2022-2023 school years,
the] The temporary substitute teacher certificate issued under
this section may be used for assignments of more than twenty
(20) consecutive days to fill a position due to the absence of
professional certified personnel.

Section 5. Section 1218 of the act, expired June 30, 2023,
is repealed:

[Section 1218. Permit for Classroom Monitors.—(a) A school
entity may request that the department issue a classroom monitor
permit to allow an individual to deliver to students assignments
that are preplanned by a professional employe or temporary
professional employe. A classroom monitor may not plan lessons—
or create or grade student work.

(b) An individual receiving a permit under subsection (a) shall satisfy all of the following:

1. Has completed at least sixty (60) semester hours or the equivalent of courses at a college or university located in this Commonwealth and accredited by a regional accrediting agency, or has at least three (3) years' experience as a paraprofessional in a school entity and is currently employed as a paraprofessional in a school entity.

2. Has met the requirements under sections 111, 111.1 and 1109(a) and 23 Pa.C.S. Ch. 63 Subch. C (relating to powers and duties of department).

3. Has attained a minimum age of twenty-five (25) years.

4. Has completed training on classroom management provided by an intermediate unit and approved by the department.

(c) An individual receiving a permit under this section who is already employed by the school entity as a paraprofessional shall receive the higher of the individual's existing contractual compensation or the compensation established by the school entity for day-to-day substitute teachers.

(d) Each school entity that uses the services of a classroom monitor under this section shall ensure that each student who receives services under an Individualized Education Program under the Individuals with Disabilities Education Act (Public Law 91-230, 20 U.S.C. § 1400 et seq.) receives a free and appropriate public education as required under the Individuals with Disabilities Education Act.

(e) Each school entity shall report to the department the following by March 31, 2023:

1. The number of individuals who served as classroom
monitors under this section and the number of days on which the
school entity used the services of classroom monitors.

(2) The school entity's day-to-day substitute teacher
compensation rates in the 2020-2021, 2021-2022 and 2022-2023
school years. For a school entity that uses a third party entity
to provide substitute teachers, the rate reported by the school
entity shall be the take home amount received by an individual,
excluding the portion paid to the third party entity. The
department shall issue rules necessary to effectuate this
subsection.

(f) By April 15, 2023, the department shall issue a report
on the effectiveness of the classroom monitor permit and
recommendations for improvement or continuation of the permit. 
The report shall include, but not be limited to, the information
reported to the department under subsection (e) and a formal
evaluation of the permit and its effectiveness by an independent
research organization which may include a college or university
accredited by a regional accrediting agency. The report shall be
submitted to the General Assembly and the State Board and shall
be posted on the department's publicly accessible Internet
website.

(g) This section shall expire on June 30, 2023.]

Section 6. The act is amended by adding a section to read:

Section 1218.1. Permit for Classroom Monitors. (a) A
school entity may request that the department issue a classroom
monitor permit to allow an individual to deliver to students
assignments that are preplanned by a professional employe or
temporary professional employe. A classroom monitor may not plan
lessons or create or grade student work.

(b) An individual receiving a permit under subsection (a)
shall satisfy all of the following:

(1) Has completed at least sixty (60) semester hours or the equivalent of courses at a college or university located in this Commonwealth and accredited by a regional accrediting agency or has at least three (3) years' experience as a paraprofessional in a school entity and is currently employed as a paraprofessional in a school entity.

(2) Has met the requirements under sections 111, 111.1 and 1109(a) and 23 Pa.C.S. Ch. 62 Subch. C (relating to powers and duties of department).

(3) Has attained a minimum age of twenty-five (25) years.

(4) Has completed training on classroom management provided by an intermediate unit and approved by the department.

(e) An individual receiving a permit under this section who is already employed by the school entity as a paraprofessional shall receive the higher of the individual's existing contractual compensation or the compensation established by the school entity for day-to-day substitute teachers.

(d) Each school entity that uses the services of a classroom monitor under this section shall ensure that each student who receives services under an Individualized Education Program under the Individuals with Disabilities Education Act (Public Law 91-230, 20 U.S.C. § 1400 et seq.) receives a free and appropriate public education as required under the Individuals with Disabilities Education Act.

(e) Each school entity shall report to the department the following by March 31, 2026:

(1) The number of individuals who served as classroom monitors under this section and the number of days on which the school entity used the services of classroom monitors.
(2) The school entity's day-to-day substitute teacher compensation rates in each of the school years from 2020-2021 through 2025-2026. For a school entity that uses a third party entity to provide substitute teachers, the rate reported by the school entity shall be the take home amount received by an individual, excluding the portion paid to the third party entity. The department shall issue rules necessary to effectuate this subsection.

(f) By April 15, 2026, the department shall issue a report on the effectiveness of the classroom monitor permit and recommendations for improvement or continuation of the permit. The report shall include, but not be limited to, the information reported to the department under subsection (e) and a formal evaluation of the permit and its effectiveness by an independent research organization which may include a college or university accredited by a regional accrediting agency. The report shall be submitted to the General Assembly and the State Board and shall be posted on the department's publicly accessible Internet website.

(g) This section shall expire on June 30, 2026.

Section 7.5. The act is amended by adding articles AN ARTICLE to read:

ARTICLE XII-B

INTERSTATE TEACHER MOBILITY COMPACT

Section 1201-B. Scope of article.

This article relates to the Interstate Teacher Mobility Compact.

Section 1202-B. Authority to execute compact.

The Governor of Pennsylvania, on behalf of this State, is authorized to execute a compact in substantially the following
form with any one or more of the states of the United States and
the General Assembly hereby signifies in advance its approval
and ratification of the compact:

INTERSTATE TEACHER MOBILITY COMPACT

ARTICLE I - PURPOSE
The purpose of this Compact is to facilitate the mobility of
Teachers across the Member States, with the goal of supporting
Teachers through a new pathway to licensure. Through this
Compact, the Member States seek to establish a collective
regulatory framework that expedites and enhances the ability of
Teachers to move across State lines.

This Compact is intended to achieve the following objectives
and should be interpreted accordingly. The Member States hereby
ratify the same intentions by subscribing hereto.

A. Create a streamlined pathway to licensure mobility for
Teachers;

B. Support the relocation of Eligible Military Spouses;

C. Facilitate and enhance the exchange of licensure,
investigative, and disciplinary information between the Member
States;

D. Enhance the power of State and district level education
officials to hire qualified, competent Teachers by removing
barriers to the employment of out-of-state Teachers;

E. Support the retention of Teachers in the profession by
removing barriers to relicensure in a new State; and

F. Maintain State sovereignty in the regulation of the
teaching profession.

ARTICLE II - DEFINITIONS
As used in this Compact, and except as otherwise provided,
the following definitions shall govern the terms herein:
A. "Active Military Member" - means any person with full-time
duty status in the armed forces of the United States, including
members of the National Guard and Reserve.

B. "Adverse Action" - means any limitation or restriction
imposed by a Member State's Licensing Authority, such as
revocation, suspension, reprimand, probation, or limitation on
the licensee's ability to work as a Teacher.

C. "Bylaws" - means those bylaws established by the
Commission.

D. "Career and Technical Education License" - means a
current, valid authorization issued by a Member State's
Licensing Authority allowing an individual to serve as a Teacher
in P-12 public educational settings in a specific career and
technical education area.

E. "Charter Member States" - means a Member State that has
enacted legislation to adopt this Compact where such legislation
predates the initial meeting of the Commission after the
effective date of the Compact.

F. "Commission" - means the interstate administrative body
which membership consists of delegates of all States that have
enacted this Compact, and which is known as the Interstate
Teacher Mobility Compact Commission.

G. "Commissioner" - means the delegate of a Member State.

H. "Eligible License" - means a license to engage in the
teaching profession which requires at least a bachelor's degree
and the completion of a state approved program for Teacher
licensure.

I. "Eligible Military Spouse" - means the spouse of any
individual in full-time duty status in the active armed forces
of the United States including members of the National Guard and
Reserve moving as a result of a military mission or military career progression requirements or are on their terminal move as a result of separation or retirement (to include surviving spouses of deceased military members).

J. "Executive Committee" - means a group of Commissioners elected or appointed to act on behalf of, and within the powers granted to them by, the Commission as provided for herein.

K. "Licensing Authority" - means an official, agency, board, or other entity of a State that is responsible for the licensing and regulation of Teachers authorized to teach in P-12 public educational settings.

L. "Member State" - means any State that has adopted this Compact, including all agencies and officials of such a State.

M. "Receiving State" - means any State where a Teacher has applied for licensure under this Compact.

N. "Rule" - means any regulation promulgated by the Commission under this Compact, which shall have the force of law in each Member State.

O. "State" - means a state, territory, or possession of the United States, and the District of Columbia.

P. "State Practice Laws" - means a Member State's laws, Rules, and regulations that govern the teaching profession, define the scope of such profession, and create the methods and grounds for imposing discipline.

Q. "State Specific Requirements" - means a requirement for licensure covered in coursework or examination that includes content of unique interest to the State.

R. "Teacher" - means an individual who currently holds an authorization from a Member State that forms the basis for employment in the P-12 public schools of the State to provide
instruction in a specific subject area, grade level, or student
population.

S. "Unencumbered License" - means a current, valid
authorization issued by a Member State's Licensing Authority
allowing an individual to serve as a Teacher in P-12 public
educational settings. A Unencumbered License is not a
restricted, probationary, provisional, substitute or temporary
credential.

ARTICLE III- LICENSURE UNDER THE COMPACT

A. Licensure under this Compact pertains only to the initial
grant of a license by the Receiving State. Nothing herein
applies to any subsequent or ongoing compliance requirements
that a Receiving State might require for Teachers.

B. Each Member State shall, in accordance with the Rules of
the Commission, define, compile, and update as necessary, a list
of Eligible Licenses and Career and Technical Education Licenses
that the Member State is willing to consider for equivalency
under this Compact and provide the list to the Commission. The
list shall include those licenses that a Receiving State is
willing to grant to Teachers from other Member States, pending a
determination of equivalency by the Receiving State's Licensing
Authority.

C. Upon the receipt of an application for licensure by a
Teacher holding an Unencumbered Eligible License, the Receiving
State shall determine which of the Receiving State's Eligible
Licenses the Teacher is qualified to hold and shall grant such a
license or licenses to the applicant. Such a determination shall
be made in the sole discretion of the Receiving State's
Licensing Authority and may include a determination that the
applicant is not eligible for any of the Receiving State's
Eligible Licenses. For all Teachers who hold an Unencumbered License, the Receiving State shall grant one or more Unencumbered License(s) that, in the Receiving State's sole discretion, are equivalent to the license(s) held by the Teacher in any other Member State.

D. For Active Military Members and Eligible Military Spouses who hold a license that is not Unencumbered, the Receiving State shall grant an equivalent license or licenses that, in the Receiving State's sole discretion, is equivalent to the license or licenses held by the Teacher in any other Member State, except where the Receiving State does not have an equivalent license.

E. For a Teacher holding an Unencumbered Career and Technical Education License, the Receiving State shall grant an Unencumbered License equivalent to the Career and Technical Education License held by the applying Teacher and issued by another Member State, as determined by the Receiving State in its sole discretion, except where a Career and Technical Education Teacher does not hold a bachelor's degree and the Receiving State requires a bachelor's degree for licenses to teach Career and Technical Education. A Receiving State may require Career and Technical Education Teachers to meet State industry recognized requirements, if required by law in the Receiving State.

ARTICLE IV- LICENSURE NOT UNDER THE COMPACT

A. Except as provided in Article III above, nothing in this Compact shall be construed to limit or inhibit the power of a Member State to regulate licensure or endorsements overseen by the Member State's Licensing Authority.

B. When a Teacher is required to renew a license received
pursuant to this Compact, the State granting such a license may
require the Teacher to complete State Specific Requirements as a
condition of licensure renewal or advancement in that State.

C. For the purposes of determining compensation, a Receiving
State may require additional information from Teachers receiving
a license under the provisions of this Compact.

D. Nothing in this Compact shall be construed to limit the
power of a Member State to control and maintain ownership of its
information pertaining to Teachers, or limit the application of
a Member State's laws or regulations governing the ownership,
use, or dissemination of information pertaining to Teachers.

E. Nothing in this Compact shall be construed to invalidate
or alter any existing agreement or other cooperative arrangement
which a Member State may already be a party to, or limit the
ability of a Member State to participate in any future agreement
or other cooperative arrangement to:

1. Award teaching licenses or other benefits based on
additional professional credentials, including, but not
limited to National Board Certification;

2. Participate in the exchange of names of Teachers whose
license has been subject to an Adverse Action by a Member
State; or

3. Participate in any agreement or cooperative
arrangement with a non-Member State.

ARTICLE V- TEACHER QUALIFICATIONS AND REQUIREMENTS FOR LICENSURE
UNDER THE COMPACT

A. Except as provided for Active Military Members or Eligible
Military Spouses in Article III.D above, a Teacher may only be
eligible to receive a license under this Compact where that
Teacher holds an Unencumbered License in a Member State.
B. A Teacher eligible to receive a license under this Compact shall, unless otherwise provided for herein:

1. Upon their application to receive a license under this Compact, undergo a criminal background check in the Receiving State in accordance with the laws and regulations of the Receiving State; and

2. Provide the Receiving State with information in addition to the information required for licensure for the purposes of determining compensation, if applicable.

ARTICLE VI- DISCIPLINE / ADVERSE ACTIONS

A. Nothing in this Compact shall be deemed or construed to limit the authority of a Member State to investigate or impose disciplinary measures on Teachers according to the State Practice Laws thereof.

B. Member States shall be authorized to receive, and shall provide, files and information regarding the investigation and discipline, if any, of Teachers in other Member States upon request. Any Member State receiving such information or files shall protect and maintain the security and confidentiality thereof, in at least the same manner that it maintains its own investigatory or disciplinary files and information. Prior to disclosing any disciplinary or investigatory information received from another Member State, the disclosing state shall communicate its intention and purpose for such disclosure to the Member State which originally provided that information.

ARTICLE VII- ESTABLISHMENT OF THE INTERSTATE TEACHER MOBILITY COMPACT COMMISSION

A. The interstate compact Member States hereby create and establish a joint public agency known as the Interstate Teacher Mobility Compact Commission:
1. The Commission is a joint interstate governmental agency comprised of States that have enacted the Interstate Teacher Mobility Compact.

2. Nothing in this interstate compact shall be construed to be a waiver of sovereign immunity.

B. Membership, Voting, and Meetings

1. Each Member State shall have and be limited to one (1) delegate to the Commission, who shall be given the title of Commissioner.

2. The Commissioner shall be the primary administrative officer of the State Licensing Authority or their designee.

3. Any Commissioner may be removed or suspended from office as provided by the law of the state from which the Commissioner is appointed.

4. The Member State shall fill any vacancy occurring in the Commission within 90 days.

5. Each Commissioner shall be entitled to one (1) vote about the promulgation of Rules and creation of Bylaws and shall otherwise have an opportunity to participate in the business and affairs of the Commission. A Commissioner shall vote in person or by such other means as provided in the Bylaws. The Bylaws may provide for Commissioners' participation in meetings by telephone or other means of communication.

6. The Commission shall meet at least once during each calendar year. Additional meetings shall be held as set forth in the Bylaws.

7. The Commission shall establish by Rule a term of office for Commissioners.

C. The Commission shall have the following powers and duties:
1. Establish a Code of Ethics for the Commission.
2. Establish the fiscal year of the Commission.
3. Establish Bylaws for the Commission.
4. Maintain its financial records in accordance with the Bylaws of the Commission.
5. Meet and take such actions as are consistent with the provisions of this interstate compact, the Bylaws, and Rules of the Commission.
6. Promulgate uniform Rules to implement and administer this interstate compact. The Rules shall have the force and effect of law and shall be binding in all Member States. In the event the Commission exercises its Rulemaking authority in a manner that is beyond the scope of the purposes of the compact, or the powers granted hereunder, then such an action by the Commission shall be invalid and have no force and effect of law.
7. Bring and prosecute legal proceedings or actions in the name of the Commission, provided that the standing of any Member State Licensing Authority to sue or be sued under applicable law shall not be affected.
8. Purchase and maintain insurance and bonds.
9. Borrow, accept, or contract for services of personnel, including, but not limited to, employees of a Member State, or an associated nongovernmental organization that is open to membership by all states.
10. Hire employees, elect, or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of the compact, and establish the Commission's personnel policies and programs relating to conflicts of interest,
qualifications of personnel, and other related personnel
matters.

11. Lease, purchase, accept appropriate gifts or donations
of, or otherwise own, hold, improve, or use, any property,
is real, personal or mixed, provided that at all times the
Commission shall avoid any appearance of impropriety.

12. Sell, convey, mortgage, pledge, lease, exchange,
abandon, or otherwise dispose of any property real, personal,
or mixed.

13. Establish a budget and make expenditures.


15. Appoint committees, including standing committees
composed of members and such other interested persons as may
be designated in this interstate compact, Rules, or Bylaws.

16. Provide and receive information from, and cooperate
with, law enforcement agencies.

17. Establish and elect an Executive Committee.

18. Establish and develop a charter for an Executive
Information Governance Committee to advise on facilitating
exchange of information; use of information, data privacy,
and technical support needs, and provide reports as needed.

19. Perform such other functions as may be necessary or
appropriate to achieve the purposes of this interstate
compact consistent with the State regulation of Teacher
licensure.

20. Determine whether a State's adopted language is
materially different from the model compact language such
that the State would not qualify for participation in the
Compact.

D. The Executive Committee of the Interstate Teacher Mobility
Compact Commission.

1. The Executive Committee shall have the power to act on behalf of the Commission according to the terms of this interstate compact.

2. The Executive Committee shall be composed of eight voting members:
   a. The Commission chair, vice chair, and treasurer; and
   b. Five members who are elected by the Commission from the current membership:
      i. Four voting members representing geographic regions in accordance with Commission Rules; and
      ii. One at large voting member in accordance with Commission Rules.

3. The Commission may add or remove members of the Executive Committee as provided in Commission Rules.

4. The Executive Committee shall meet at least once annually.

5. The Executive Committee shall have the following duties and responsibilities:
   a. Recommend to the entire Commission changes to the Rules or Bylaws, changes to the compact legislation, fees paid by interstate compact Member States such as annual dues, and any compact fee charged by the Member States on behalf of the Commission.
   b. Ensure Commission administration services are appropriately provided, contractual or otherwise.
   c. Prepare and recommend the budget.
   d. Maintain financial records on behalf of the Commission.
e. Monitor compliance of Member States and provide reports to the Commission.

f. Perform other duties as provided in Rules or Bylaws.

6. Meetings of the Commission

a. All meetings shall be open to the public, and public notice of meetings shall be given in accordance with Commission Bylaws.

b. The Commission or the Executive Committee or other committees of the Commission may convene in a closed, non-public meeting if the Commission or Executive Committee or other committees of the Commission must discuss:

   i. Non-compliance of a Member State with its obligations under the compact.

   ii. The employment, compensation, discipline or other matters, practices or procedures related to specific employees or other matters related to the Commission's internal personnel practices and procedures.

   iii. Current, threatened, or reasonably anticipated litigation.

   iv. Negotiation of contracts for the purchase, lease, or sale of goods, services, or real estate.

   v. Accusing any person of a crime or formally censuring any person.

   vi. Disclosure of trade secrets or commercial or financial information that is privileged or confidential.

   vii. Disclosure of information of a personal
nature where disclosure would constitute a clearly unwarranted invasion of personal privacy.

viii. Disclosure of investigative records compiled for law enforcement purposes.

ix. Disclosure of information related to any investigative reports prepared by or on behalf of or for use of the Commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to the compact.

x. Matters specifically exempted from disclosure by federal or Member State statute.

xi. Others matters as set forth by Commission Bylaws and Rules.

c. If a meeting, or portion of a meeting, is closed pursuant to this provision, the Commission's legal counsel or designee shall certify that the meeting may be closed and shall reference each relevant exempting provision.

d. The Commission shall keep minutes of Commission meetings and shall provide a full and accurate summary of actions taken, and the reasons therefore, including a description of the views expressed. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the Commission or order of a court of competent jurisdiction.

7. Financing of the Commission

a. The Commission shall pay, or provide for the payment of, the reasonable expenses of its establishment,
organization, and ongoing activities.

b. The Commission may accept all appropriate donations and grants of money, equipment, supplies, materials, and services, and receive, utilize, and dispose of the same, provided that at all times the Commission shall avoid any appearance of impropriety or conflict of interest.

c. The Commission may levy on and collect an annual assessment from each Member State or impose fees on other parties to cover the cost of the operations and activities of the Commission, in accordance with the Commission Rules.

d. The Commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the Commission pledge the credit of any of the Member States, except by and with the authority of the Member State.

e. The Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Commission shall be subject to accounting procedures established under Commission Bylaws. All receipts and disbursements of funds of the Commission shall be reviewed annually in accordance with Commission Bylaws, and a report of the review shall be included in and become part of the annual report of the Commission.

8. Qualified Immunity, Defense, and Indemnification

a. The members, officers, executive director, employees and representatives of the Commission shall be immune from suit and liability, either personally or in
their official capacity, for any claim for damage to or
loss of property or personal injury or other civil
liability caused by or arising out of any actual or
alleged act, error or omission that occurred, or that the
person against whom the claim is made had a reasonable
basis for believing occurred within the scope of
Commission employment, duties or responsibilities;
provided that nothing in this paragraph shall be
construed to protect any such person from suit or
liability for any damage, loss, injury, or liability
caused by the intentional or willful or wanton misconduct
of that person.

b. The Commission shall defend any member, officer,
executive director, employee, or representative of the
Commission in any civil action seeking to impose
liability arising out of any actual or alleged act,
error, or omission that occurred within the scope of
Commission employment, duties, or responsibilities, or
that the person against whom the claim is made had a
reasonable basis for believing occurred within the scope
of Commission employment, duties, or responsibilities;
provided that nothing herein shall be construed to
prohibit that person from retaining his or her own
counsel; and provided further, that the actual or alleged
act, error, or omission did not result from that person's
intentional or willful or wanton misconduct.

c. The Commission shall indemnify and hold harmless
any member, officer, executive director, employee, or
representative of the Commission for the amount of any
settlement or judgment obtained against that person
arising out of any actual or alleged act, error or omission that occurred within the scope of Commission employment, duties, or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from the intentional or willful or wanton misconduct of that person.

ARTICLE VIII- RULEMAKING

A. The Commission shall exercise its Rulemaking powers pursuant to the criteria set forth in this interstate compact and the Rules adopted thereunder. Rules and amendments shall become binding as of the date specified in each Rule or amendment.

B. The Commission shall promulgate reasonable Rules to achieve the intent and purpose of this interstate compact. In the event the Commission exercises its Rulemaking authority in a manner that is beyond purpose and intent of this interstate compact, or the powers granted hereunder, then such an action by the Commission shall be invalid and have no force and effect of law in the Member States.

C. If a majority of the legislatures of the Member States rejects a Rule, by enactment of a statute or resolution in the same manner used to adopt the compact within four (4) years of the date of adoption of the Rule, then such Rule shall have no further force and effect in any Member State.

D. Rules or amendments to the Rules shall be adopted or ratified at a regular or special meeting of the Commission in accordance with Commission Rules and Bylaws.
E. Upon determination that an emergency exists, the Commission may consider and adopt an emergency Rule with 48 hours' notice, with opportunity to comment, provided that the usual Rulemaking procedures shall be retroactively applied to the Rule as soon as reasonably possible, in no event later than ninety (90) days after the effective date of the Rule. For the purposes of this provision, an emergency Rule is one that must be adopted immediately in order to:

1. Meet an imminent threat to public health, safety, or welfare.
2. Prevent a loss of Commission or Member State funds.
3. Meet a deadline for the promulgation of an administrative Rule that is established by federal law or Rule; or
4. Protect public health and safety.

ARTICLE IX- FACILITATING INFORMATION EXCHANGE

A. The Commission shall provide for facilitating the exchange of information to administer and implement the provisions of this compact in accordance with the Rules of the Commission, consistent with generally accepted data protection principles.

B. Nothing in this compact shall be deemed or construed to alter, limit, or inhibit the power of a Member State to control and maintain ownership of its licensee information or alter, limit, or inhibit the laws or regulations governing licensee information in the Member State.

ARTICLE X- OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT

A. Oversight

1. The executive and judicial branches of State government in each Member State shall enforce this Compact and take all actions necessary and appropriate to effectuate
the Compact's purposes and intent. The provisions of this
Compact shall have standing as statutory law.

2. Venue is proper and judicial proceedings by or against
the Commission shall be brought solely and exclusively in a
court of competent jurisdiction where the principal office of
the Commission is located. The Commission may waive venue and
jurisdictional defenses to the extent it adopts or consents
to participate in alternative dispute resolution proceedings.
Nothing herein shall affect or limit the selection or
propriety of venue in any action against a licensee for
professional malpractice, misconduct or any such similar
matter.

3. All courts and all administrative agencies shall take
judicial notice of the Compact, the Rules of the Commission,
and any information provided to a Member State pursuant
thereo in any judicial or quasi-judicial proceeding in a
Member State pertaining to the subject matter of this
Compact, or which may affect the powers, responsibilities, or
actions of the Commission.

4. The Commission shall be entitled to receive service of
process in any proceeding regarding the enforcement or
interpretation of the Compact and shall have standing to
intervene in such a proceeding for all purposes. Failure to
provide the Commission service of process shall render a
judgment or order void as to the Commission, this Compact, or
promulgated Rules.

B. Default, Technical Assistance, and Termination

1. If the Commission determines that a Member State has
defaulted in the performance of its obligations or
responsibilities under this Compact or the promulgated Rules,
the Commission shall:

a. Provide written notice to the defaulting State and other Member States of the nature of the default, the proposed means of curing the default or any other action to be taken by the Commission; and

b. Provide remedial training and specific technical assistance regarding the default.

C. If a State in default fails to cure the default, the defaulting State may be terminated from the Compact upon an affirmative vote of a majority of the Commissioners of the Member States, and all rights, privileges and benefits conferred on that State by this Compact may be terminated on the effective date of termination. A cure of the default does not relieve the offending State of obligations or liabilities incurred during the period of default.

D. Termination of membership in the Compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given by the Commission to the governor, the majority and minority leaders of the defaulting State's legislature, the State Licensing Authority and each of the Member States.

E. A State that has been terminated is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination.

F. The Commission shall not bear any costs related to a State that is found to be in default or that has been terminated from the Compact, unless agreed upon in writing between the Commission and the defaulting State.

G. The defaulting State may appeal the action of the
Commission by petitioning the U.S. District Court for the District of Columbia or the federal district where the Commission has its principal offices. The prevailing party shall be awarded all costs of such litigation, including reasonable attorney's fees.

H. Dispute Resolution

1. Upon request by a Member State, the Commission shall attempt to resolve disputes related to the Compact that arise among Member States and between Member and non-Member States.

2. The Commission shall promulgate a Rule providing for both binding and nonbinding alternative dispute resolution for disputes as appropriate.

I. Enforcement

1. The Commission, in the reasonable exercise of its discretion, shall enforce the provisions and Rules of this Compact.

2. By majority vote, the Commission may initiate legal action in the United States District Court for the District of Columbia or the federal district where the Commission has its principal offices against a Member State in default to enforce compliance with the provisions of the Compact and its promulgated Rules and Bylaws. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing party shall be awarded all costs of such litigation, including reasonable attorney's fees. The remedies herein shall not be the exclusive remedies of the Commission. The Commission may pursue any other remedies available under federal or State law.
A. The Compact shall come into effect on the date on which
the Compact statute is enacted into law in the tenth Member
State.

1. On or after the effective date of the Compact, the
Commission shall convene and review the enactment of each of
the Charter Member States to determine if the statute enacted
by each such Charter Member State is materially different
from the model Compact statute.

2. A Charter Member State whose enactment is found to be
materially different from the model Compact statute shall be
entitled to the default process set forth in Article X.

3. Member States enacting the Compact subsequent to the
Charter Member States shall be subject to the process set
forth in Article VII.C.20 to determine if their enactments
are materially different from the model Compact statute and
whether they qualify for participation in the Compact.

B. If any Member State is later found to be in default, or is
terminated or withdraws from the Compact, the Commission shall
remain in existence and the Compact shall remain in effect even
if the number of Member States should be less than ten.

C. Any State that joins the Compact after the Commission's
initial adoption of the Rules and Bylaws shall be subject to the
Rules and Bylaws as they exist on the date on which the Compact
becomes law in that State. Any Rule that has been previously
adopted by the Commission shall have the full force and effect
of law on the day the Compact becomes law in that State, as the
Rules and Bylaws may be amended as provided in this Compact.

D. Any Member State may withdraw from this Compact by
enacting a statute repealing the same.

1. A Member State's withdrawal shall not take effect
until six (6) months after enactment of the repealing statute.

2. Withdrawal shall not affect the continuing requirement of the withdrawing State's Licensing Authority to comply with the investigative and Adverse Action reporting requirements of this act prior to the effective date of withdrawal.

E. This Compact may be amended by the Member States. No amendment to this Compact shall become effective and binding upon any Member State until it is enacted into the laws of all Member States.

ARTICLE XII- CONSTRUCTION AND SEVERABILITY

This Compact shall be liberally construed to effectuate the purposes thereof. The provisions of this Compact shall be severable and if any phrase, clause, sentence, or provision of this Compact is declared to be contrary to the constitution of any Member State or a State seeking membership in the compact, or of the United States or the applicability thereof to any other government, agency, person or circumstance is held invalid, the validity of the remainder of this Compact and the applicability thereof to any government, agency, person, or circumstance shall not be affected thereby. If this Compact shall be held contrary to the constitution of any Member State, the Compact shall remain in full force and effect as to the remaining Member States and in full force and effect as to the Member State affected as to all severable matters.

ARTICLE XIII- CONSISTENT EFFECT AND CONFLICT WITH OTHER STATE LAWS

A. Nothing herein shall prevent or inhibit the enforcement of any other law of a Member State that is not inconsistent with the Compact.
B. Any laws, statutes, regulations, or other legal requirements in a Member State in conflict with the Compact are superseded to the extent of the conflict.

C. All permissible agreements between the Commission and the Member States are binding in accordance with their terms.

Section 1203-B. When and how compact becomes operative.

(a) General rule.--When the Governor executes the Interstate Teacher Mobility Compact on behalf of this State and files a verified copy thereof with the Secretary of the Commonwealth and when the compact is ratified by one or more other states, the compact shall become operative and effective between this State and such other state or states. The Governor is authorized and directed to take such action as may be necessary to complete the exchange of official documents between this State and any other state ratifying the compact.

(b) Notice in Pennsylvania Bulletin.--The Secretary of the Commonwealth shall transmit to the Legislative Reference Bureau for publication in the next available issue of the Pennsylvania Bulletin a notice when the conditions specified in subsection (a) are satisfied and shall include in the notice the date on which the compact became effective and operative between this State and any other state or states in accordance with this article.

Section 1204-B. Compensation and expenses of commissioner.

The commissioner who represents this State, as provided for in the Interstate Teacher Mobility Compact, shall not be entitled to any additional compensation for his duties and responsibilities as commissioner but shall be entitled to reimbursement for reasonable expenses actually incurred in connection with his duties and responsibilities as commissioner.
in the same manner as for expenses incurred in connection with
other duties and responsibilities of his office or employment.

ARTICLE XII-C

EDUCATOR PIPELINE SUPPORT GRANT PROGRAM

Section 1201-C. Scope of article.
This article relates to educator workforce.

Section 1202-C. Definitions.
The following words and phrases when used in this article
shall have the meanings given to them in this section unless the
context clearly indicates otherwise:

"Agency." The Pennsylvania Higher Education Assistance
Agency.

"Approved educator preparation program." A sequence of
courses and experiences offered by an institution of higher
education that is reviewed and approved by the department.

"Cooperating teacher." An individual who satisfies all of
the following:

(1) Holds a certification under section 1201 in the
subject area in which the individual will be providing
guidance to the student teacher.

(2) Has received at least three years of satisfactory
ratings as a certified teacher.

(3) Has at least one year of certificated teaching
experience in the school entity where the student teacher is
placed.

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

"Institution of higher education." A college or university
that offers a program approved by the department to prepare
professional personnel for employment in a school entity in

20230SB0843PN1290 - 39 -
accordance with 22 Pa. Code Ch. 49 (relating to certification of professional personnel).

"Nonpublic school." As defined in section 923.3-A(b).

"Program." The Educator Pipeline Support Grant Program established under section 1203 C.

"School entity." A school district, intermediate unit, area career and technical school, charter school, regional charter school or cyber charter school operating within this Commonwealth.

"Student teacher." An individual participating in a classroom teaching experience who, as part of an approved educator preparation program for the initial or advanced preparation of professional educators, performs classroom teaching or assists in a school entity's or nonpublic school's education program under the supervision of a cooperating teacher.

Section 1203 C. Program establishment and duties of agency.

(a) Establishment. The Educator Pipeline Support Grant Program is established within the agency.

(b) Duties. The agency, in consultation with the department, shall administer the program and, in the agency's sole discretion, award a grant to an individual who submits a completed application and satisfies the eligibility requirements under section 1204 C.

(c) Application. No later than 120 days after the effective date of this subsection, the agency shall develop and make available an application form that an individual who is seeking placement as a student teacher may use to apply for a grant under the program.

(d) (Reserved).
(e) Grant amount.--

(1) A student teacher shall receive a minimum grant of $10,000.

(2) A payment received by an individual under this article shall not be included in classes of income under section 303 of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971.

(f) Additional grant amount for certain areas.--

(1) An eligible student teacher who completes required student teaching in a school entity in an area of this Commonwealth that attracts few student teachers or that has a high rate of open teaching positions shall, in addition to the amount awarded under subsection (e)(1), receive a minimum grant amount of $5,000. The agency, in consultation with the department, shall utilize data from the department to determine the areas identified in this paragraph.

(2) For the purposes of computing the tax under Article III of the Tax Reform Code of 1971, the classes of income under section 303 of the Tax Reform Code of 1971 shall not include a payment received by an individual under this article.

(g) Funding.--

(1) The agency shall use money appropriated for the purpose of the program and may accept funding from public and private sources, including the Federal Government, for the payment of grants under this section.

(2) If the agency determines that the demand for the program exceeds the available resources, the agency may request additional funding as part of the agency's budget request for the next fiscal year in accordance with section...
610 of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

(h) Additional duties.—When the agency awards a grant to a student teacher under this article, the agency shall also award a grant payment to the student teacher's cooperating teacher. The cooperating teacher shall receive a minimum grant of $2,500. The agency may reduce the grant award amount to a cooperating teacher if the cooperating teacher receives compensation from an institution of higher education for serving as a cooperating teacher. An institution of higher education may not charge a student teacher who receives a grant for the cost of paying a cooperating teacher.

(i) Dissemination of information.—The agency shall annually provide information about the program on the department's publicly accessible Internet website and to all approved educator preparation programs and public and nonpublic secondary schools. An approved educator preparation program shall annually disseminate information about the program, including information identifying the school entities that qualify the student for an additional grant award amount under subsection (f).

(j) Payment.—The agency shall establish a method for paying grant awards under the program to a school entity or nonpublic school. The school entity or nonpublic school shall use all of the money received under the program for payment to student teachers and cooperating teachers as required by this section and the agency.

(k) Administrative fee.—The agency may take a reasonable administrative fee for direct costs associated with the implementation, administration and servicing of the program. The fee shall be taken from the funding received under subsection...
Section 1204-C. Eligibility.

(a) Eligibility.--For an individual to be eligible for a grant as a student teacher under the program, the individual shall meet all of the following:

(1) Be currently enrolled in an institution of higher education located in this Commonwealth.

(2) Be currently enrolled in an approved educator preparation program.

(3) Meet the minimum grade point average established under 22 Pa. Code § 354.24 (relating to academic performance).

(4) Be placed in a position as a student teacher at a school entity or nonpublic school located in this Commonwealth.

(5) Have obtained the necessary clearances required under section 111 and 23 Pa.C.S. § 6344(a.1) (relating to employees having contact with children; adoptive and foster parents).

(6) Agree to work as a teacher at a school entity or nonpublic school in this Commonwealth for a period of no less than three years, unless the agency determines that there are extenuating circumstances.

(b) Construction.--Nothing in this section shall be deemed to create a right of an individual to receive a grant under the program.

(c) Limitation.--An individual may not receive more than one grant from the agency under the program as a student teacher. This subsection shall not apply to grants received by a cooperating teacher.
Section 1205-C. Report.

(a) General rule.—The agency shall prepare and submit to the Governor, the Secretary of Education and the General Assembly no later than December 31, 2024, and each December 31 thereafter, to the extent that funds are available, a report detailing the operation of the program. The report shall, at a minimum, include:

(1) The number of applicants.

(2) The number of applicants who received a grant under the program.

(3) The number of applicants who received an additional award under section 1203-C(f).

(4) A list of school entities or nonpublic schools where an applicant served as a student teacher.

(5) A list of approved educator preparation programs where applicants who were awarded a grant were enrolled.

(6) A list of school entities where grantees are employed following certification.

(7) The number of applicants who did not fulfill the requirements under section 1204-C(a)(6).

(8) Any other information the agency determines.

(b) Coordination.—The department and the Department of Labor and Industry shall assist the agency by providing necessary data to determine outcomes related to the program.

Section 1206-C. Data collection.

(a) Student teaching placement data. The department shall maintain a database of student teaching opportunities for the upcoming school year. The following shall apply to the database:

(1) A school entity or nonpublic school who is interested in hosting a student teacher may submit to the
department the number of student teachers the school entity or nonpublic school is seeking for the upcoming school year.

If a school entity's or nonpublic school's request for student teachers from the previous school year was not fulfilled, the school entity or nonpublic school may report the shortage of requested student teachers.

(2) Each approved educator preparation program shall submit to the department the number of student teachers placed by the approved educator preparation program in the previous school year. If the approved educator preparation program had more requests for student teachers than available student teachers, the approved educator preparation program shall report the shortage of available student teachers to the department.

(3) No later than July 31, 2024, and each July 31 thereafter, each approved educator preparation program shall report:

(i) The number of agreements between approved educator preparation programs and school entities or nonpublic schools for the purpose of placing student teachers.

(ii) The name of each school entity or nonpublic school with which an approved educator preparation program entered into an agreement.

(iii) The number of student teachers placed in the previous year by an approved educator preparation program and the school entity or nonpublic school at which the student teacher was placed.

(b) (Reserved).

Section 1207-C. Miscellaneous provisions.
(a) Institutions of higher education.--Within one year of
the effective date of this section, if an institution of higher
education requires a student enrolled in an approved educator
preparation program to take a class or seminar as part of the
student teaching experience while the student is participating
in a student teaching program, the institution of higher
education shall provide the student with the ability to
participate in the class or seminar by virtual means.

(b) Credit. If a student teacher receives a grant under the
program, an approved educator preparation program may not
prohibit the student teacher from receiving academic credit for
participating in a student teacher experience if the student
teacher successfully completes the student teaching experience.

Section 8. Article XIII-A heading and sections 1301-A and
1302-A of the act are amended to read:

ARTICLE XIII-A.

[SAFE SCHOOLS] STUDENT SUPPORTS.

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

"Office" shall mean the Office for Safe Schools within the
Department of Education.

"School entity" shall mean any public school district,
intermediate unit, area career and technical school or charter
school.

"School-based diversion programs" shall mean programs [that,
in partnership with other stakeholders, divert youth out of the
juvenile justice system.] and interventions designed to redirect
youth who commit minor offenses in school from exclusionary disciplinary practices or formal processing in the juvenile justice system, while still holding the student accountable for the student's actions. These programs include, but are not limited to, youth aid panels [in which a panel of community members decide an appropriate resolution to hold the student accountable for the student's actions by, among other options, requiring the student to complete educational activities, community service, restitution and any other related program or service.], positive youth development programming, teen/youth courts, restorative justice interventions, truancy prevention and intervention programs, mentoring programs and intervention programs and educational practices to assist students with persistent disruptive and serious problem behaviors.

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

"School-wide positive behavior support" means a school-wide, evidence-based [and data-driven] approach to improving school behavior that seeks to reduce unnecessary student disciplinary actions and promote a climate of greater productivity, safety and learning] tiered framework for supporting students' behavioral, academic, social, emotional and mental health.

"Student with a disability" shall mean a student who meets the definition of "child with a disability" under the Individuals with Disabilities Education Act (Public Law 91-230, 20 U.S.C. § 1400 et seq.) or who meets the definition of a "handicapped person" under section 504 of the Rehabilitation Act of 1973 (Public Law 93-112, 29 U.S.C. § 794) and its implementing regulations (34 C.F.R. § 104.3(j)). The term
includes a student for whom an evaluation is pending under either the Individuals with Disabilities Education Act or Rehabilitation Act.

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

Section 1302 A. Office for Safe Schools Student Supports. (a) There is hereby established in the Department of Education an Office for Safe Schools. (Reserved).

(b) The Department of Education shall have the power and duty to implement the following:

(1) To coordinate antiviolence efforts between school, professional, parental, governmental, law enforcement and community organizations and associations.

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

(2.1) To direct all school entities to submit annual school violence statistics and reports to the office no later than July 31 of each year.

(3) To collect, develop and disseminate information, policies, strategies and other information to assist in the development of programs that support students, reduce unnecessary student disciplinary actions and promote an environment of greater productivity, safety and learning, including, but not limited to:

(i) School-wide positive behavior support that includes primary or universal, secondary and tertiary supports and interventions in school entities.
(ii) School-based diversion programs.
(iii) Classroom management.
(iv) Student discipline.
(v) Student codes of conduct.
(vi) Training to assess risk factors that increase the likelihood of problem behaviors among students.
(vii) Conflict resolution and dispute management.
(viii) Staff training programs in the use of positive behavior supports, de-escalation techniques, appropriate responses to student behavior that may require immediate intervention and trauma-informed treatment for mental health providers in schools.
(ix) Research-based violence prevention programs that address risk factors to reduce incidents of problem behaviors among students, including, but not limited to, mental health early intervention, self-care, bullying and suicide awareness and prevention.
(x) Risk assessment, safety-related, violence prevention curricula, including dating violence curricula, restorative justice strategies, mental health early intervention, self-care and suicide awareness and prevention curricula.
(xi) Evidence-based screenings for adverse childhood experiences that are proven to be determinants of physical, social and behavioral health and provide trauma-informed counseling services as necessary to students based upon the screening results.
(xii) Trauma-informed approaches that increase student and school employee access to quality trauma support services and behavioral health care.
(2) To provide direct training to school employees, parents,
law enforcement officials and communities on effective measures
to prevent and combat school violence.

(4) maintain and improve learning environments for students
and staff.

(2) To advise in collaboration and coordination
with the School Safety and Security Committee established under
section 1302-B school entities and nonpublic schools on the
development of policies to be used regarding possession of
weapons by any person, acts of violence and protocols for
coordination with and reporting to law enforcement officials and
the Department of Education.

(4.1) To verify the existence of corrective action
plans to reduce incidents of violence as required in the [No-
1802).

(5) To develop in collaboration and coordination with the
School Safety and Security Committee established under section
1302-B forms to be used by school entities and police
departments for reporting incidents involving acts of violence
and possession of weapons on school property. The forms shall be
reviewed on a biennial basis and revised when necessary.

(6) To verify that each school entity has a biennially
updated and reexecuted memorandum of understanding with local
law enforcement and has filed such memorandum with the office on
a biennial basis.

(7) To publish and post on the Department of Education's
Internet website a School Safety Annual Report no later than
November 1 of each calendar year outlining all incidents
required to be reported under section 1303-A and any school
district that failed to submit a report under section 1303-A.

(8) To establish criteria, in consultation with the Pennsylvania State Police, for certifying approved vendors to provide school police officers to nonpublic schools for the purposes of awarding grants under subsection (c.1)(3).

(9) To publish and post on the Department of Education's publicly accessible Internet website a listing of all approved vendors under paragraph (8).

(b.1) The Department of Education shall process and tabulate the data on an annual basis to assist school administrators, the School Safety and Security Committee established under section 1302-B and law enforcement officials in their duties under this article.

[(c) In addition to the powers and duties set forth under subsection (b), the office is authorized to make targeted grants to school entities, and to intermediate units on behalf of nonpublic schools, to fund programs which address school violence, including:

(1) Conflict resolution or dispute management, including restorative justice strategies.

(1.1) School-wide positive behavior support that includes primary or universal, secondary and tertiary supports and interventions in school entities.

(1.2) School-based diversion programs.

(2) Peer helpers programs.

(3) Risk assessment, safety related, violence prevention curricula, including, but not limited to, dating violence curricula and restorative justice strategies.

(4) Classroom management.

(5) Student codes of conduct.}
(6) Training to undertake a districtwide assessment of risk factors that increase the likelihood of problem behaviors among students.

(7) Development and implementation of research-based violence prevention programs that address risk factors to reduce incidents of problem behaviors among students including, but not limited to, bullying.

(8) Comprehensive, districtwide school safety, violence prevention, emergency preparedness and all-hazards plans, including revisions or updates to such plans and conducting emergency preparedness drills and related activities with local emergency responders.

(9) Security planning, purchase of security-related technology which may include metal detectors, protective lighting, surveillance equipment, special emergency communications equipment, electronic locksets, deadbolts and theft control devices and training in the use of security-related technology. Security planning and purchase of security-related technology shall be based on safety needs identified by the school entity's board of directors.

(10) Institution of student, staff and visitor identification systems, including criminal background check software.

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

(13) Alternative education programs provided for in Article XIX-C.
(14) Counseling services for students enrolled in alternative education programs.

(15) An Internet web-based system for the management of student discipline, including misconduct and criminal offenses.

(16) Staff training programs in the use of positive behavior supports, de-escalation techniques and appropriate responses to student behavior that may require immediate intervention.

(17) The implementation of Article XIII-E.

(c.1) (1) In addition to the powers and duties set forth under subsections (b) and (c), the office is authorized to make targeted grants to school entities, municipalities, local law enforcement agencies and approved vendors to fund programs which address school violence by establishing or enhancing school security, including costs associated with the training and compensation of school resource officers and school police officers. Municipalities or local law enforcement agencies that receive grants under this subsection shall, with the prior consent of the governing board of the school entity or nonpublic school, assign school resource officers to carry out their official duties on the premises of the school entity or nonpublic school.

(2) Municipalities or local law enforcement agencies may not receive grant funds under this subsection for any purpose other than for costs associated with school resource officers and are not eligible for other grants provided to school entities under this section. In assigning school resource officers pursuant to this subsection, municipalities shall take into consideration the proportion of students enrolled in each school entity or nonpublic school.

(3) Nonpublic schools are authorized to apply to the office...
for grant funding under paragraph (1) to be used for the costs associated with obtaining the services of a school police officer from a list of approved vendors certified by the office. Grant awards for this purpose shall be awarded and paid directly to the approved vendor with which the nonpublic school contracts for services. Nonpublic schools may not apply for grant funding under this section for any purpose other than obtaining the services of a school police officer under this paragraph.

(d) The office shall have the following duties as to targeted grants:

(1) Targeted grants shall be allocated through a competitive grant review process established by the office. School entities must satisfy the requirements of this section and section 1303-A to be eligible for grants. The application for a targeted grant shall include:

(i) the purpose for which the targeted grant shall be utilized;

(ii) information indicating need for the targeted grant, including, but not limited to, school violence statistics;

(iii) an estimated budget;

(iv) methods for measuring outcomes; and

(v) any other criteria as the office may require.

(2) The office shall:

(i) Give priority in grant funding under subsection (c) to a school entity designated as a persistently dangerous school as defined in 22 Pa. Code § 403.2 (relating to definitions).

(ii) Give priority in grant funding under subsection (c) to school entities with the greatest need to establish safety and order.

(iii) To the greatest extent possible, ensure that grant
funding is geographically dispersed to school entities and municipalities throughout this Commonwealth.

(iv) For school entities, municipalities, local law enforcement agencies and nonpublic schools that apply for funding for the training and compensation of school resource officers and school police officers under subsection (c.1), give priority to school entities, municipalities, local law enforcement agencies and nonpublic schools that utilize school resource officers or school police officers who have completed additional training recommended by the Department of Education relating to interaction with all children and adolescents within a school setting.

(v) For school entities or nonpublic schools that apply for funding for school police officers under subsection (c.1), give priority to school entities and nonpublic schools that utilize school police officers who satisfy all of the following:

(A) Are retired Federal agents or retired State, municipal or military police officers.

(B) Are independent contractors of the school entity or nonpublic school.

(C) Are compensated on an hourly basis and receive no other compensation or fringe benefits from the school entity or nonpublic school.

(D) Have completed such annual training as shall be required by the Municipal Police Officers’ Education and Training Commission pursuant to 53 Pa.C.S. Ch. 21 Subch. D (relating to municipal police education and training).

(E) Are in satisfaction of the requirements of section 111.

(F) In the case of a school entity, have been indemnified by the school entity pursuant to 42 Pa.C.S. § 8548 (relating to
(C) Are utilized by a school entity or nonpublic school that
has not employed a school police officer within the three years
immediately preceding the effective date of this clause.
Nothing in this clause shall be construed to impact on grant
decisions for school entities, municipalities or local law
enforcement agencies that apply for funding for hiring of school
resource officers pursuant to subsection (c.1).

(3) The office shall provide all targeted grant agreements
to the Department of Education's comptroller for review and
approval prior to awarding the grant. The school entity,
municipality, local law enforcement agency or approved vendor
shall provide the office with full and complete access to all
records relating to the performance of the grant, and shall
submit, at such time and in such form as may be prescribed,
thruthful and accurate information that the office may require.
The office shall conduct a thorough annual evaluation of each
program for which a grant under this section is made. The office
shall seek repayment of funds if it determines that funds were
not utilized for the original stated purpose.

(e) For any fiscal year prior to 2019-2020, the sum
appropriated annually to the Department of Education for the
purpose of making targeted grants under this section shall be
allocated as follows:

(1) Twenty five percent of the sum shall be allocated for
grants under subsection (c).

(2) Seventy five percent of the sum shall be allocated for
grants under subsection (c.1).

(e.1) Any grant funding allocated under subsection (c.1)
above the amount allocated in fiscal year 2017-2018 may be
prioritized for nonpublic schools.

(e.2) Beginning in fiscal year 2019-2020, grants awarded under subsection (e.1) shall not exceed the amount awarded in fiscal year 2018-2019 under that subsection and no less than $3,200,000 shall be awarded to intermediate units on behalf of nonpublic schools under subsection (c).

(f) As used in this section, "school entity" shall have the same meaning given to it under section 222(c).]

Section 9. Sections 1302.1-A and 1303-A of the act are repealed:

{Section 1302.1-A. Regulations.--(a) Within one year of the effective date of this section, the State Board of Education shall promulgate final-omitted regulations pursuant to the act of June 25, 1982 (P.L.633, No.181), known as the "Regulatory Review Act," necessary to implement this article. The regulations shall include the following:

(1) A model memorandum of understanding between school entities and local police departments. The model memorandum of understanding shall be reviewed on a biennial basis and revised where necessary. The State Board of Education may revise the model memorandum of understanding by publishing a notice in the Pennsylvania Bulletin that contains the complete revised model memorandum of understanding. The revised model memorandum of understanding shall be incorporated into the Pennsylvania Code in place of the existing model memorandum of understanding.

(2) Protocol for the notification of the police department when an offense listed under section 1303-A(b)(4.1) occurs on school property, which shall include a requirement that the local police department be notified immediately when such an offense occurs.
(3) Protocol for the notification of the police department at the discretion of the chief school administrator regarding an offense listed under section 1303-A(b)(4.2) or any other offense that occurs on school property.

(4) Protocol for emergency and nonemergency response by the police department, which shall include a requirement that the school district shall supply the police department with a copy of the comprehensive disaster response and emergency preparedness plan as required by 35 Pa.C.S. § 7701(g) (relating to duties concerning disaster prevention).

(5) Procedures and protocols for the response and handling of students with a disability, including procedures related to student behavior as required by 22 Pa. Code §§ 14.104 (relating to special education plans) and 14.133 (relating to positive behavior support).

(b) (1) In promulgating the regulations required under subsection (a), the State Board of Education shall convene and consult with a Statewide advisory committee which shall include a police chief, juvenile public defender, school superintendent, school principal, district attorney, solicitor of a school district, special education supervisor, special education advocate and in-school probation officer and one designee from the Department of Education, the Pennsylvania Commission on Crime and Delinquency, the Municipal Police Officers' Education and Training Commission, the Juvenile Court Judges' Commission and the Pennsylvania State Police.

(2) Members of the committee shall be selected to be representative of the rural, suburban and urban school entities of this Commonwealth.

(3) The advisory committee shall be convened no later than
sixty (60) days after the effective date of this section and
shall meet regularly to fulfill the requirements of this
section.

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

(b) Each chief school administrator shall report to the
office by July 31 of each year all new incidents involving acts
of violence, possession of a weapon or possession, use or sale
of controlled substances as defined in the act of April 14, 1972
(P.L.233, No.64), known as "The Controlled Substance, Drug,
Device and Cosmetic Act," or possession, use or sale of alcohol
or tobacco by any person on school property. The incidents to be
reported to the office shall include all incidents involving
conduct that constitutes a criminal offense listed under
paragraphs (4.1) and (4.2). Reports on a form to be developed
and provided by the office shall include:

(1) Age or grade of student.
(2) Name and address of school.
(3) Circumstances surrounding the incident, including, but
not limited to, type of weapon, controlled substance, alcohol or
tobacco, the date, time and location of the incident, if a
person other than a student is involved in the incident and any
relationship to the school entity.

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

(4) Sanction imposed by the school.

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

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

Section 908 (relating to prohibited offensive weapons).
Section 912 (relating to possession of weapon on school-
property).
Chapter 25 (relating to criminal homicide).
Section 2702 (relating to aggravated assault).
Section 2709.1 (relating to stalking).
Section 2901 (relating to kidnapping).
Section 2902 (relating to unlawful restraint).
Section 3121 (relating to rape).
Section 3122.1 (relating to statutory sexual assault).
Section 3123 (relating to involuntary deviate sexual
intercourse).
Section 3124.1 (relating to sexual assault).
Section 3124.2 (relating to institutional sexual assault).
Section 3125 (relating to aggravated indecent assault).
Section 3126 (relating to indecent assault).
Section 3301 (relating to arson and related offenses).
Section 3307 (relating to institutional vandalism) when the
penalty is a felony of the third degree.
Section 3502 (relating to burglary).
Section 3503(a) and (b)(1)(v) (relating to criminal
trespass).
Section 5501 (relating to riot).

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

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

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

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

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

Section 2701 (relating to simple assault).

Section 2705 (relating to recklessly endangering another person).

Section 2706 (relating to terroristic threats).

Section 2709 (relating to harassment).

Section 3127 (relating to indecent exposure).

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

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

Chapter 39 (relating to theft and related offenses).

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

Section 5503 (relating to disorderly conduct).

Section 6305 (relating to sale of tobacco).

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

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

(5) Notification of law enforcement.

(6) Remedial programs involved.

(7) Parental involvement required.

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

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

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

(2) No later than fifteen (15) days prior to the deadline for the chief school administrator to submit the report required under subsection (b), the police department shall notify the chief school administrator, in writing, whether the report accurately reflects police incident data. Where the police department determines that the report accurately reflects police incident data, the chief of police shall sign the report. Where the police department determines that the report does not accurately reflect police incident data, the police department shall indicate any discrepancies between the report and police incident data.

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

(4) Where a police department fails to take action as required under paragraph (2) or (3), the chief school administrator shall submit the report required under subsection (b) and indicate that the police department failed to take action as required under paragraph (2) or (3).

(c) Each chief school administrator shall form an advisory committee composed of relevant school staff, including, but not limited to, principals, security personnel, school resource officers, guidance counselors and special education administrators, to assist in the development of a memorandum of understanding pursuant to this section. In consultation with the advisory committee, each chief school administrator shall enter into a memorandum of understanding with police departments having jurisdiction over school property of the school entity. Each chief school administrator shall submit a copy of the memorandum of understanding to the office by June 30, 2011, and biennially update and re-execute a memorandum of understanding with local law enforcement and file such memorandum with the office on a biennial basis. The memorandum of understanding shall be signed by the chief school administrator, the chief of police of the police department with jurisdiction over the relevant school property and principals of each school building of the school entity. The memorandum of understanding shall comply with the regulations promulgated by the State Board of Education under section 1302.1-A and shall also include:

(1) The procedure for police department review of the annual
1. report required under subsection (b) prior to the chief school
2. administrator filing the report required under subsection (b)
3. with the office.

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

2. (3) Additional matters pertaining to crime prevention agreed
3. to between the chief school administrator and the police
4. department.

5. (d) Pursuant to section 615 of the Individuals with
7. 1415(k)(6)), nothing in section 1302.1-A or this section shall
8. be construed to prohibit a school entity from reporting a crime
9. committed by a child with a disability to appropriate
10. authorities or to prevent State law enforcement and judicial
11. authorities from exercising their responsibilities with regard
12. to the application of Federal and State law to crimes committed
13. by a child with a disability.

5. (e) (1) Notwithstanding any provision of law to the
6. contrary, the Department of Education may initiate disciplinary
7. action before the Professional Standards and Practices
8. Commission pursuant to the act of December 12, 1973 (P.L.397,
9. No.141), known as the "Professional Educator Discipline Act,"
10. against a chief school administrator or principal of a school
11. entity who intentionally fails to submit the report as required
12. under subsection (b) or enter into the memorandum of
13. understanding with the police department with jurisdiction over
14. the relevant school property, report an incident involving an
15. act of violence, possession of a weapon or an offense listed
16. under subsection (b)(4.1) that occurs on school property to a

20230SB0843PN1290 - 64 -
police department or submit a copy of the memorandum of understanding to the office as required under subsection (c) or who intentionally falsifies a report submitted as required under this section.

(2) In addition to any other disciplinary actions set forth in the "Professional Educator Discipline Act," a chief school administrator or principal of a school entity who intentionally fails to submit the report as required under subsection (b) or enter into the memorandum of understanding with the police department with jurisdiction over the relevant school property, report an incident involving an act of violence, possession of a weapon or an offense cited under subsection (b)(4.1) that occurs on school property to a police department or submit a copy of the memorandum of understanding to the office as required under subsection (c) or who intentionally falsifies a report submitted as required under this section shall be subject to prosecution for violation of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities). The following civil penalties may be imposed by the Professional Standards and Practices Commission for violations of this article:

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

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

Section 10. Sections 1303.1-A(c) and (d) and 1307-A of the act are amended to read:

Section 1303.1-A. Policy Relating to Bullying.

(c) Each school entity shall review its policy every three years and annually provide the Department of
Education with a copy of its policy relating to bullying,
including information related to the development and
implementation of any bullying prevention, intervention and
education programs. The information required under this
subsection shall be attached to or made part of the annual
report required under section [1303 A(b)] 1319 B(b).

(d) In its policy relating to bullying adopted or maintained
under subsection (a), a school entity shall not be prohibited
from defining bullying in such a way as to encompass acts that
occur outside a school setting if those acts meet the
requirements contained in subsection (c)(1), (3) and (4). If a
school entity reports acts of bullying to the [office
Department of Education in accordance with section [1303 A(b)]
1319 B(b), it shall report all incidents that qualify as
bullying under the entity's adopted definition of that term.

* * *

Section 1307-A. Maintenance of Records.—All school entities
and private schools within this Commonwealth shall maintain
updated records of all incidents of violence, incidents
involving possession of a weapon and convictions or
adjudications of delinquency for acts committed on school
property by students enrolled therein on both a district-wide
and school by school basis. Records maintained under this
section shall be contained in a format developed by the
Pennsylvania State Police in cooperation with the [office within
ninety (90) days of the effective date of this section]
Department of Education. A statistical summary of these records
shall be made accessible to the public for examination by the
public during regular business hours.

Section 11. Sections 1310-A, 1311-A, 1312-A and 1313-A of

20230SB0843PN1290
Section 1310-A. Safe Schools Advocate in School Districts of the First Class.—(a) The Executive Director of the Pennsylvania Commission on Crime and Delinquency shall establish, within the commission, a safe schools advocate for each school district of the first class. The advocate shall not be subject to the act of August 5, 1941 (P.L.752, No.286), known as the "Civil Service Act." The advocate shall establish and maintain an office within the school district.

(b) The safe schools advocate shall have the power and its duties shall be:

(1) To monitor the school district's compliance with this article, including:

(i) the school district's reporting to the office of incidents involving acts of violence, possession of a weapon or possession, use or sale of controlled substances as defined in the act of April 14, 1972 (P.L.233, No.64), known as "The Controlled Substance, Drug, Device and Cosmetic Act," or possession, use or sale of alcohol or tobacco by any person on school property;

(ii) obtaining copies of the school district's reports to the office and reviewing and analyzing them;

(iii) the school district's compliance with the procedures set forth in the memorandum of understanding with the appropriate police department regarding incidents involving acts of violence and possession of weapons; and

(iv) obtaining documentation, on a weekly basis during those times when school is in session, of all written or verbal contacts by school district personnel with the appropriate police department consistent with the requirements of the...
memorandum of understanding.

(2) To monitor the school district’s compliance with the mandatory expulsion requirements of sections 1317.2 and 1318.1.

(3) To receive inquiries from school staff and parents or guardians of students who are victims of acts of violence on school property.

(4) To establish a protocol, in consultation with the Juvenile Court Judges’ Commission, to assure timely receipt by the school district of information regarding students who have been adjudicated delinquent pursuant to 42 Pa.C.S. § 6341(b.1) (relating to adjudication) and to monitor the school district’s use of that information to ensure that victims of acts of violence by a student are protected.

(5) To establish a program to assure extensive and continuing public awareness of information regarding the role of the advocate on behalf of victims of acts of violence on school property, which may include the mailing of information to the parents or guardians of students in the school district or other forms of communication.

(6) To review and analyze Federal and State statutes which may be an impediment to school safety and the imposition of discipline for the commission of acts of violence on school property and to prepare, by April 30, 2001, and as necessary from time to time thereafter, reports making recommendations for changes to the statutes which would promote school safety and facilitate effective and expedient disciplinary action. The reports shall be submitted to the secretary and the Executive Director of the Pennsylvania Commission on Crime and Delinquency.

(7) To review and analyze court decisions applicable to the
school district's disciplinary process and procedures, to make recommendations to the school district regarding any negative impact these decisions have upon the effective maintenance of school safety and to make recommendations relating to the existing provisions of consent decrees.

(8) To prepare an annual report regarding the activities of the advocate during the prior fiscal year and any recommendations for remedial legislation, regulations or school district administrative reforms, which shall be submitted to the school district superintendent, the secretary, the Executive Director of the Pennsylvania Commission on Crime and Delinquency, the chairperson of the Education Committee of the Senate and the chairperson of the Education Committee of the House of Representatives by August 15 of each year.

(9) To monitor infractions of the school district's code of conduct to identify students whose conduct would constitute an offense under 18 Pa.C.S. § 2701 (relating to simple assault).

(c) The safe schools advocate shall, on behalf of victims of acts of violence on school property, victims of conduct that would constitute an act of violence and victims of students who have committed two or more infractions as set forth in subsection (b)(9):

(1) provide assistance and advice, including information on support services provided by victim assistance offices of the appropriate district attorney and through local community based victim service agencies;

(2) provide information to the parent or guardian of the student victim regarding the disciplinary process and any action ultimately taken against the student accused of committing the act of violence;
(3) in cases involving the possession or use of a weapon,
advise the parent or guardian of the victim whether the school
district properly exercised its duty under section 1317.2;
(4) in cases where the advocate has received a request by
the parent or guardian of the victim, to attend formal
disciplinary proceedings;
(5) with the consent of the parent or guardian of the
victim, present information in the disciplinary proceeding,
which may include oral or written presentations, including
testimony by the victim or the parent or guardian of the victim,
regarding the impact on the victim and the victim's family and
the appropriate disciplinary action and which may include direct
or cross-examination of witnesses;
(6) where the perpetrator of an act of violence is returning
to school after placement under a consent decree, adjudication
of delinquency or conviction of a criminal offense, assist the
parent or guardian of the victim in providing input to the
school district and the appropriate juvenile or criminal justice
authority to ensure the victim's safety on school property;
(7) in cases where the district has failed to report the act
of violence to the appropriate police department as required by
the memorandum of understanding, to report such act of violence
directly; and
(8) provide information and make recommendations to the
office of the district attorney regarding the impact of the act
of violence on the victim and the victim's family.
(d) Upon discovery of the commission of an act of violence
upon a student, the school district of the first class shall
immediately notify the victim's parent or guardian of the safe
schools advocate. The form of this notice shall be developed by
the advocate and provided to the school district. This form shall include the address and telephone number of the advocate and a brief description of the purposes and functions of the safe schools advocate. The principal of each school within the school district shall post a notice not less than 8 1/2 by 11 inches entitled "Safe Schools Advocate" at a prominent location within each school building, where such notices are usually posted. The form of this notice shall also be developed by the advocate and provided to the school district.

(e) It shall be the duty of each school administrator in a school district of the first class to cooperate with the safe schools advocate to implement this section and to provide the advocate, upon request, with all available information authorized by State law. In regard to individual cases of acts of violence, only information permitted to be shared under subsection (f) shall be disclosed.

(f) The advocate and all employees and agents of the safe schools advocate shall be subject to and bound by section 444 of the General Education Provisions Act (Public Law 90-247, 20 U.S.C. § 1232g) and 34 CFR Pt. 99 (relating to family educational rights and privacy).

(g) This section shall not apply to the extent that it would conflict with the requirements of the Individuals with Disabilities Education Act (Public Law 91-230, 20 U.S.C. § 1400 et seq.) or other applicable Federal statute or regulation.

(h) As used in this section:

"Act of violence" shall mean the possession of a weapon on school property or an offense, including the attempt, solicitation or conspiracy to commit the offense, under any of the following provisions of 18 Pa.C.S. (relating to crimes and
offenses):
(1) Section 2501 (relating to criminal homicide).
(2) Section 2702 (relating to aggravated assault).
(3) Section 3121 (relating to rape).
(4) Section 3122.1 (relating to statutory sexual assault).
(5) Section 3123 (relating to involuntary deviate sexual intercourse).
(6) Section 3124.1 (relating to sexual assault).
(7) Section 3125 (relating to aggravated indecent assault).
(8) Section 3126 (relating to indecent assault).
(9) Section 3301 (relating to arson and related offenses).
(10) Section 3701 (relating to robbery).
(11) Section 3702 (relating to robbery of motor vehicle).

"School district" shall mean school district of the first class.

(i) At least eighty per centum (80%) of all appropriations for the Office of Safe Schools Advocate in fiscal year 2006-2007 shall be expended by June 30, 2007, and the remaining balance of the appropriation shall be committed or encumbered by June 30, 2007.

Section 1311-A. Standing.--(a) If a student in a school district of the first class is a victim of an act of violence involving a weapon on school property and the student who possessed the weapon was not expelled under section 1317.2, the parent or guardian of the victim shall have standing to institute a legal proceeding to obtain expulsion of the student.

(b) The Office of General Counsel shall have standing to bring an action on behalf of a victim or the parent or guardian of a victim of an act of violence in a school in a school district of the first class to modify, clarify or eliminate a
consent decree that is related to discipline in the district if, in consultation with the advocate, the Office of General Counsel believes that the action is in the best interests of the students of the school district.

(c) (1) The Executive Director of the Pennsylvania Commission on Crime and Delinquency in consultation with the General Counsel may designate a portion of the funds provided for the safe schools advocate:

(i) For contracts for legal services to assist low income parents or guardians of victims to obtain legal services for proceedings under subsection (a).

(ii) To challenge a consent decree under subsection (b) or to bring an action under sections 1310-A(c)(5) and 1312-A(a).

(2) The designation of attorneys to receive funds under this subsection shall be within the discretion of the Office of General Counsel after consultation with the safe schools advocate.

(3) Designated funds which are not expended under this subsection shall lapse to the General Fund.

(d) Legal proceedings under this section shall be conducted by an attorney designated by the Office of General Counsel in consultation with the safe schools advocate. The attorney must be a member of the bar in good standing.

(f) As used in this section, "low income parent or guardian" shall mean a parent whose family income is no greater than two hundred fifty per centum (250%) of the Federal poverty level.

Section 1312-A. Enforcement.—(a) (1) If the school district of the first class fails to comply with requirements to provide information to the safe schools advocate under section 1310-A, the advocate shall provide documentation of the failure.
to the Secretary of Education and the Pennsylvania Commission on Crime and Delinquency.

(2) If the secretary determines that there is noncompliance, the secretary shall notify the advocate and the Office of General Counsel. The Office of General Counsel, in consultation with the safe schools advocate, shall designate an attorney to bring an action in a court of competent jurisdiction to enforce section 1310-A.

(3) If the secretary determines that the school district of the first class has complied with the requirements to provide information to the safe schools advocate under section 1310-A, the secretary shall convene a public hearing at which the safe schools advocate shall be permitted to testify regarding the alleged noncompliance.

(b) Legal proceedings under subsection (a) shall be conducted by an attorney designated by the Office of General Counsel in consultation with the safe schools advocate. The attorney must be a member of the bar in good standing.

Section 1313-A. Construction of Article and Other Laws.--Nothing in this article or any other provision of law shall be construed as granting a right of status for or participation by the safe schools advocate in a grievance or arbitration proceeding arising out of a collective bargaining agreement.

Section 12. Section 1301-B of the act is amended by adding definitions to read:

Section 1301-B. Definitions.

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

"Chief school administrator." The superintendent of a public
school district, superintendent of an area career and technical
school, executive director of an intermediate unit or chief
executive officer of a charter school.

***

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

***

"School property." As defined in section 1301 A.

***

"Student with a disability." A student who meets the
definition of "child with a disability" under 20 U.S.C. Ch. 33
(relating to education of individuals with disabilities) or who
meets the definition of a "handicapped person" under 29 U.S.C. §
794 (relating to nondiscrimination under Federal grants and
programs) and its implementing regulations (34 CFR 104.3(j)).
The term includes a student for whom an evaluation is pending
under either 20 U.S.C. Ch. 33 or 29 U.S.C. Ch. 16 (relating to
vocational rehabilitation and other rehabilitative services).

"Weapon." The term shall include, but not be limited to, a
knife, cutting instrument, cutting tool, nunchaku, firearm,
shotgun, rifle and other tool, instrument or implement capable
of inflicting serious bodily injury.

Section 13. Section 1302 B(e) of the act, amended July 8,
2022 (P.L.620, No.55), is amended, subsection (b)(12) is amended
by adding a subparagraph and the section is amended by adding a
subsection to read:
Section 1302 B. School Safety and Security Committee.

***

(b) Composition.—The committee shall consist of a
chairperson and the following members:
The following members appointed by the Governor:


(e) Term. Members appointed under subsection (b)(5), (6), (7), (8), (11) and (12) shall serve for a four-year term and may be appointed for no more than one additional consecutive term. The terms of those members who serve by virtue of the public office they hold shall be concurrent with their service in the office from which they derive their membership.

(j) Executive committee.

(1) The committee shall establish an executive committee which shall meet, at a minimum, every two months to identify and review current and emerging school safety issues, including, but not limited to:

(i) data on issues and incidents reported through the Safe2Say Program;

(ii) information arising from county safe schools' collaboratives under section 1310.1 B;

(iii) identification, prevention and mitigation of potential threats of targeted violence in educational settings;

(iv) utilization of best practices among school entities related to threat assessment, bystander intervention and reporting, crisis intervention and
emergency preparedness and response; and

(v) other incidents and issues impacting school safety in this Commonwealth.

(2) The executive committee shall provide guidance and recommendations for consideration by the committee. Any action relating to guidance or recommendations provided by the executive committee to the committee shall require a vote of a majority of the members of the committee. Any decisions relating to awarding of grants under this article shall be the sole and exclusive responsibility of the committee.

(3) The executive committee shall include, at a minimum, the chair of the committee and the members appointed under subsection (b)(1), (2), (3), (4), (5), (6), (7) and (8).

(4) (i) Except as provided under subparagraph (ii), meetings of the executive committee shall not be subject to the requirements of 65 Pa.C.S. Ch. 7 (relating to open meetings).

(ii) Public notice of a meeting of the executive committee shall be provided as required under 65 Pa.C.S. § 709(a) (relating to public notice). The public notice under this subparagraph shall include the agenda of the topics the executive committee will discuss.

(iii) At the next scheduled meeting of the committee, the chair of the executive committee shall provide a summary of any meetings of the executive committee that occurred since the last meeting of the committee.

(5) The member appointed under subsection (b)(2) shall serve as chair of the executive committee.

(6) The executive committee may add other members of the
committee as necessary.

Section 14. The act is amended by adding a section to read:

Section 1302.1-B. Duties of committee.

The committee shall advance practices to improve the safety and security of school entities within this Commonwealth, including developing policies and providing resources, training, guidance and assistance to schools and their partners. In addition to other duties given to the committee under this article, the committee shall have the following powers and duties:

(1) To establish, periodically review and, if necessary, update baseline criteria for physical security and behavioral health in coordination with the department for school entities in this Commonwealth.

(2) To coordinate antiviolence and school safety efforts between school, professional, parental, governmental, law enforcement and community organizations and associations.

(3) To collect, develop and disseminate information, policies, strategies and other information to assist in the development of programs to impact school and community violence and other school-safety-related issues.

(4) To provide training to school employees, school safety and security coordinators and communities on effective measures to prevent and combat school and community violence as well as school safety and security training under section 1310-B and coordinator training under section 1316-B.

(5) In collaboration and coordination with the department, to assist school entities and nonpublic schools on the development of policies to enhance safety and security, including policies addressing possession of
wepons, acts of violence, protocols for coordination with law enforcement officials and reporting under section 1319-B.

(6) In collaboration and coordination with the department, to verify that each school entity has complied with reporting and memorandum of understanding requirements under section 1319-B.

(7) In collaboration and coordination with the department, to publish and post on the commission's publicly accessible Internet website a school safety annual report no later than November 1 of each calendar year outlining all incidents required to be reported under section 1319-B and school entities that failed to submit a report under section 1319-B.

(8) In collaboration and consultation with the Pennsylvania State Police, to establish criteria for certifying approved vendors to provide school police officers to nonpublic schools for the purpose of awarding grants under section 1306.1-B(k).

(9) To publish and post on the commission's publicly accessible Internet website a listing of approved vendors under paragraph (8).

(10) In consultation with the department, to develop, review and promulgate regulations under section 1306.2 B(b).

(11) To request data related to school safety and security collected by the department to fulfill the duties of the committee. The department shall provide requested data no later than 10 days after the request is made.

Section 15. Section 1306-B(i)(1), (j)(4) and (12), (k) and (l) of the act, amended July 8, 2022 (P.L.620, No.55), are amended, subsection (h) is amended by adding paragraphs and the
section is amended by adding a subsection to read:

Section 1306-B. School Safety and Security Grant Program.

***

(h) School Safety and Security Fund.

***

(10) For fiscal year 2023-2024, the committee shall commit funds relating to school safety and security and school mental health to school entities that receive a grant award under this section no later than March 31, 2024.

(11) For fiscal year 2024-2025 and each fiscal year thereafter, the committee shall commit funds relating to school safety and security and school mental health to school entities that receive a grant award under this section no later than December 31 of each calendar year in which funds are available.

(12) Notwithstanding any other provision of law, during the 2023-2024 fiscal year, money appropriated for COVID Relief - ARPA - School Mental Health Grants shall be transferred to the fund and shall be used as follows:

(i) Ninety percent shall be used for grants under section 1315.1-B.

(ii) Five percent shall be transferred to the department for training of school based mental health professionals and to establish pathways to certification for school based mental health professionals.

(iii) Five percent shall be transferred to the Pennsylvania Higher Education Assistance Agency for the program under section 1318-B.

(i) Community violence prevention programs.

(1) [Municipalities] Notwithstanding subsection (h)(7),
the committee shall use money appropriated to the commission
for violence intervention and prevention for grants and
technical assistance to municipalities, district attorneys,
institutions of higher education, community-based
organizations and other entities approved by the committee
[are the only eligible applicants] for programs under
subsection (j)(22).

***

(j) Specific purposes. The committee shall provide grants
to school entities for programs that address school mental-
health and safety and security, including:

***

(4) School-based diversion programs[.] as defined in
section 1301-A, including costs associated with the hiring of
qualified professional staff members to provide assistance
and services related to the programs.

***

(12) Security planning and purchase of security-related
technology, which may include metal detectors, protective-
lighting, specialty trained canines, surveillance equipment,
special emergency communications equipment, automated
external defibrillators, electronic locksets, deadbolts,
trauma kits and theft control devices and training in the use
of security-related technology. [Security planning and
purchase of security related technology shall be based on
safety needs identified by the school entity's board of
school directors.]

***

(k) Coordination of grant distribution. The [department]
committee shall coordinate the distribution of grants under
Article XIII-A with the committee section 1306.1-B to ensure the most effective use of resources.

(1) Audits.--

(1) The commission may randomly audit and monitor grant recipients to ensure the appropriate use of grant funds and compliance with [the provisions of] subsection (d).

(2) The Auditor General [shall] may not perform audits related to school safety and security assessments, survey instruments and grant applications.

(m) Procurement procedures. An applicant shall be required to comply with all applicable State and local procurement requirements, policies and procedures when expending grant funds.

Section 16. The act is amended by adding sections to read:

Section 1306.1-B. Targeted School Safety Grants for Nonpublic Schools and School Entities Program.

(a) Reestablishment.--The Targeted School Safety Grants for Nonpublic Schools and School Entities Program is reestablished in the committee to make nonpublic schools and school entities within this Commonwealth safer places.

(b) Continuation.--The targeted grants issued in fiscal year 2022-2023 and in any previous fiscal year to school entities and to intermediate units on behalf of nonpublic schools through the department under Article XIII-A shall continue to be administered by the department. Targeted grants for fiscal year 2023-2024 and each year thereafter shall be awarded and administered by the committee.

(c) Functions generally.--The committee shall perform all functions related to the direct approval, disbursement and administration of grants under the program.
(d) Diversity.--The committee shall ensure that grant funding under the program is geographically dispersed throughout this Commonwealth.

(e) Supplement and not supplant.--

(1) Grant money allocated through the program shall be used to supplement and not supplant existing nonpublic school entity spending on school safety and security.

(2) Nothing in this section shall be construed to preclude a nonpublic school entity from making an application in a subsequent year for the same purpose and amount awarded in a prior year.

(f) Whole or partial awards.--The committee, in its discretion, may award, in whole or in part, a request made by a nonpublic school entity in its grant application based upon the merit of a specific item requested.

(g) Sustainability planning.--Sustainability planning is not a necessary component of an application under this section.

(h) Confidentiality.--Information submitted by a nonpublic school entity as part of the grant application, the disclosure of which would be reasonably likely to result in a substantial and demonstrable risk of physical harm or the personal security of students or staff, shall remain confidential and shall not be accessible for inspection and duplication under the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law. The committee may release aggregate data at its discretion.

(i) (Reserved).

(j) Uses.--Targeted grants to school entities and to intermediate units on behalf of nonpublic schools shall be used to fund programs that address school violence and school mental health. Eligible uses of the funds shall include any use under.
section 1306-B(j) and to fund programs that address school violence by establishing or enhancing school security, including costs associated with the training and compensation of school security personnel.

(k) Other grant recipients.

(1) The committee may award targeted grants to municipalities, law enforcement agencies and approved vendors to fund programs that address school violence by establishing or enhancing school security, including costs associated with the training and compensation of school security personnel.

(2) A municipality or law enforcement agency that receives grants under this subsection shall, with the prior consent of the governing board of the school entity or nonpublic school, assign school resource officers to carry out their official duties on the premises of the school entity or nonpublic school. A municipality or law enforcement agency may not receive grant money under this subsection for any purpose other than for costs associated with school resource officers and are not eligible for other grants provided to school entities under this section. In assigning school resource officers under this subsection, a municipality shall take into consideration the proportion of students enrolled in each school entity or nonpublic school.

(3) A nonpublic school may apply to the committee for grant funding under paragraph (1) to be used for the costs associated with obtaining the services of school security personnel from a list of approved vendors certified by the committee. A grant award for this purpose shall be awarded and paid directly to the approved vendor with which the nonpublic school contracts for services. A nonpublic school...
may not apply for grant funding under this subsection for any
purpose other than obtaining the services of school security
personnel under this paragraph.

(k.1) Administrative fee.--An intermediate unit may take a
reasonable administrative fee for direct costs associated with
the administration of a grant award on behalf of a nonpublic
school. The fee shall be taken from the money received under
subsection (j) and may not exceed 2\%.

(l) Other duties.--The committee shall have the following
duties as to targeted grants:

(1) Targeted grants shall be allocated through a
competitive grant review process established by the
committee. A school entity must satisfy the requirements of
this section. The application for a targeted grant shall
include:

(i) the purpose for which the targeted grant will be
utilized;

(ii) information indicating the need for the
targeted grant, including, but not limited to, school
violence statistics;

(iii) an estimated budget;

(iv) methods for measuring outcomes; and

(v) other criteria as the committee may require.

(2) The committee shall:

(i) Give priority in grant funding under subsection
(c) to a school entity designated as a persistently
dangerous school as defined in 22 Pa. Code § 403.2
(relating to definitions).

(ii) Give priority in grant funding under subsection
(i) to school entities with the greatest need related to
safety and order.

(iii) For municipalities, local law enforcement agencies and nonpublic schools that apply for funding for the training and compensation of school security personnel under subsection (j) or (k), give priority to municipalities, local law enforcement agencies and nonpublic schools that utilize school security personnel who have completed the training and qualifications required under Article XIII-E.

(iv) For school entities or nonpublic schools that apply for funding for school police officers under subsection (j) or (k), give priority to school entities and nonpublic schools that utilize school police officers who satisfy all of the following:

(A) Are retired Federal agents or retired State, municipal or military police officers.

(B) Are independent contractors of the school entity or nonpublic school.

(C) Are compensated on an hourly basis and receive no other compensation or fringe benefits from the school entity or nonpublic school.

(D) Have completed annual training as required by the Municipal Police Officers' Education and Training Commission under 53 Pa.C.S. Ch. 21 Subch. D (relating to municipal police education and training).

(E) The requirements of section 111.

(F) In the case of a school entity, have been indemnified by the school entity under 42 Pa.C.S. § 8548 (relating to indemnity).
(C) Are utilized by a school entity or nonpublic school that has not employed a school police officer within the three years immediately preceding the effective date of this section. Nothing in this section shall be construed to impact grant decisions for school entities, municipalities or law enforcement agencies that apply for funding for hiring of school resource officers under subsection (j) or (k).

(3) For fiscal year 2023-2024 and each fiscal year thereafter, the combined amount of grants awarded to intermediate units on behalf of nonpublic schools under subsection (j) and grants awarded for costs associated with a nonpublic school obtaining the services of school security personnel under subsection (k) shall be no less than $14,551,000.

(m) Audits.--

(1) The commission may randomly audit and monitor grant recipients to ensure the appropriate use of grant funds and compliance with the provisions of subsection (d).

(2) The Auditor General may not perform audits related to school safety and security assessments, survey instruments and grant applications.

(n) Procurement procedures. An applicant shall be required to comply with all applicable State and local procurement requirements, policies and procedures when expending grant money.

(o) Transfer.--Within 90 days of the effective date of this section, from the amount appropriated to the Department of Education for the Safe Schools Initiative, the Department of
Education shall transfer the sum of $20,700,000 to the
commission for distribution by the committee in accordance with
this section.

(p) Definitions.--As used in this section, the following
words and phrases shall have the meanings given to them in this
subsection unless the context clearly indicates otherwise:

"Program." The Targeted School Safety Grants for Nonpublic
Schools and School Entities Program reestablished in this
section.

Section 1306.2 B. Standardized protocols.

(a) Continuation of regulations.--A regulation adopted under
section 1302.1-A and in effect as of the effective date of this
section shall be enforced by the committee in collaboration and
coordination with the department and the State Board of
Education and shall continue to have the same force and effect
until modified or revised under this section.

(b) Regulations.--No later than three years after the
effective date of this section, the committee shall promulgate
final-omitted regulations under the act of June 25, 1982
(P.L.633, No.181), known as the Regulatory Review Act, in
consultation with the department, necessary to implement this
article. The regulations shall include the following:

(1) A model memorandum of understanding between school
entities and law enforcement. The model memorandum of
understanding shall be reviewed at least once every three
years and revised where necessary. The committee may revise
the model memorandum of understanding by transmitting a
notice to the Legislative Reference Bureau for publication in
the next available issue of the Pennsylvania Bulletin that
contains the complete revised model memorandum of
understanding. The revised model memorandum of understanding
shall be incorporated into the Pennsylvania Code and replace
the existing model memorandum of understanding.

(2) A protocol for the notification of the law
enforcement agency when an offense listed under section 1319-
B(b)(7) occurs on school property. The protocol shall include
a requirement that the school entity immediately notify the
law enforcement agency when an offense occurs.

(3) A protocol for the notification of the law
enforcement agency at the discretion of the chief school
administrator regarding an offense listed under section 1319-
B(b)(8) or other offense that occurs on school property.

(4) A protocol for emergency and nonemergency response
by the law enforcement department. The protocol shall include
a requirement that the school entity notify and supply the
law enforcement agency with a copy of the comprehensive
disaster response and emergency preparedness plan as required
by 35 Pa.C.S. § 7701(g) (relating to duties concerning
disaster prevention).

(5) Procedures and protocols if a student with a
disability commits an incident listed under section 1319-B(b)
(7) and (8), including procedures related to student behavior
as required by 22 Pa. Code § 14.104 (relating to special
education plans) and 14.133 (relating to positive behavior
supports). Protocols may include, but need not be limited to,
training in the use of positive behavior supports and de-
escalation techniques for students with disabilities.

Section 1310.1-B. County safe schools’ collaborative.
(a) Establishment.—A county, or multicounty acting
jointly, may establish a safe schools’ collaborative to
distribute, promote and develop best practices applicable to emergency response involving school safety and security through an emergency preparedness planning approach. The collaborative shall provide assistance to school entities, law enforcement and emergency responders and shall meet at least quarterly to develop safe and secure schools. The collaborative shall identify and promote strategies, practices that align with those identified by the committee and programs that support safe schools for all students and staff and recommend implementation as part of a countywide or multicounty safe schools' plan.

(b) Technical assistance.--The Pennsylvania Emergency Management Agency in collaboration with the Pennsylvania State Police and the Office of Homeland Security shall provide technical assistance to a county or several counties to establish a safe schools' collaborative under subsection (a) to provide school districts, emergency responders and all relevant school safety partners with quality information, resources, consultation and training services.

(c) Reports.--The Pennsylvania Emergency Management Agency in collaboration with the Pennsylvania State Police and the Office of Homeland Security shall report to the committee annually beginning September 1, 2024, and September 1 of each year thereafter, the number of counties that have requested technical assistance under subsection (b).

(d) Confidentiality of reports. Reports to the committee under this section shall remain confidential and shall not be subject to inspection and duplication under the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law.

(e) Confidentiality of meetings.--Meetings of a county safe schools' collaborative are not subject to the requirements of 65
Section 1315.1-B. School mental health grants for 2023-2024 school year.

(a) Funding.--For the 2023-2024 school year, the amount of money allocated under section 1306-B(h)(12)(i) shall be used by the committee to award school mental health grants to school entities in accordance with this section.

(b) Purpose of grants.

(1) A school entity shall be eligible for school mental health grants to meet the level 1 baseline criteria for behavioral health and school climate criteria established by the committee.

(2) A school entity that has met the level 1 baseline criteria shall be eligible for school mental health grants for the purposes outlined in section 1306-B(j)(6), (10), (15), (17), (19), (20), (21), (23), (24), (25), (26), (27), (28), (29) and (30).

(c) Amount of grants.--The committee shall award school mental health grants in the following amounts to any school entity that submits an application:

(1) A school district shall receive $100,000 plus an amount determined in paragraph (3).

(2) An intermediate unit, area career and technical school, charter school, regional charter school, cyber charter school, approved private school or chartered school for the education of the deaf or the blind shall receive $70,000.

(3) An amount determined as follows:

(i) Multiply the 2021-2022 adjusted average daily membership for each school district by the difference...
between the amount allocated in subsection (a) and the
sum of the amounts distributed under paragraphs (1) and
(2).

(ii) Divide the product from subparagraph (i) by the
2021-2022 adjusted average daily membership for all
school districts.

(d) Availability of applications. The committee shall make
an application for grants under this section available to school
entities no later than 45 days after the effective date of this
section. The application requirements shall be limited to the
school entity's contact information, the specific purpose of the
grant based upon the categories specified in subsection (b) with
boxes on the application for the applicant to indicate the
school entity's anticipated use and certification by the
applicant that the funds will be used for the stated purpose.

(e) Effect of revenue received. Grant money received under
this section may not be included when calculating the amount to
be paid under section 1725-A.

(f) Audit and monitoring. The committee shall randomly
audit and monitor grant recipients to ensure the appropriate use
of grant funds and compliance with provisions of the grant
program.

(g) Definitions. As used in this section, the following
words and phrases shall have the meanings given to them in this
subsection unless the context clearly indicates otherwise:

"School entity." A school district, area career and
technical school, intermediate unit, charter school, regional
charter school and cyber charter school.

Section 17. Section 1316-B(b) of the act, added July 8, 2022
(P.L.620, No.55), is amended to read:
Section 1316-B. School safety and security coordinator training.

* * *

(b) Required training.--

(1) The committee shall adopt the required training hours for the training developed under subsection (a). The committee may not require more than seven hours of training for the school safety and security coordinator annually. The training shall be in addition to other training requirements for school administrators.

(2) Employees required to undergo continuing professional education under section 1205.2 and 1205.5 shall receive credit toward their continuing professional education requirements.

* * *

Section 18. The act is amended by adding sections to read:

Section 1319-B. Reporting and memorandum of understanding.

(a) Data reporting and access.--In collaboration and coordination with the committee, the department shall collect information as required by this section. The committee may request information collected by the department under this section. The department shall provide the information requested no later than 10 days after the request date to the extent permitted by law.

(b) Reporting by chief school administrator.--A chief school administrator shall report to the department by July 31 of each year all new incidents involving acts of violence, possession of a weapon or possession, use or sale of controlled substances as defined in the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, or...
possession, use or sale of alcohol or tobacco by any person on
school property. The report shall include all incidents
involving conduct that constitutes a criminal offense listed
under subsection (b)(7) and (8). Reports, on a form to be
developed and provided by the department, in collaboration and
coordination with the committee, shall include:

(1) The age or grade of the students involved.
(2) The name and address of school.
(3) The circumstances surrounding the incident,
including, but not limited to, the type of weapon, controlled-
substance, alcohol or tobacco, the date, time and location of
the incident, if a person other than a student is involved in
the incident and any relationship of the person to the school-
entity.
(4) The race of the students involved.
(5) Whether the students have an Individualized
Education Plan under 20 U.S.C. Ch.33 (relating to education
for individuals with disabilities) and, if so, the type of
disability.
(6) Any sanction imposed by the school.
(7) A list of criminal offenses which may, at a minimum,
include:
(i) The following offenses under 18 Pa.C.S.
(relating to crimes and offenses):
Section 908 (relating to prohibited offensive
weapons).
Section 912 (relating to possession of weapon on
school property).
Chapter 25 (relating to criminal homicide).
Section 2702 (relating to aggravated assault).
Section 2709.1 (relating to stalking).
Section 2901 (relating to kidnapping).
Section 2902 (relating to unlawful restraint).
Section 3121 (relating to rape).
Section 3122.1 (relating to statutory sexual assault).
Section 3123 (relating to involuntary deviate sexual intercourse).
Section 3124.1 (relating to sexual assault).
Section 3124.2 (relating to institutional sexual assault).
Section 3125 (relating to aggravated indecent assault).
Section 3126 (relating to indecent assault).
Section 3301 (relating to arson and related offenses).
Section 3307 (relating to institutional vandalism) when the offense is a felony of the third degree.
Section 3502 (relating to burglary).
Section 3503(a) and (b)(1)(v) (relating to criminal trespass).
Section 5501 (relating to riot).
Section 6110.1 (relating to possession of firearm by minor).

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

(iii) An attempt, solicitation or conspiracy to commit an offense listed in subclauses (i) and (ii).

(iv) An offense for which registration is required.
under 42 Pa.C.S. § 9799.55 (relating to registration).

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

Section 2701 (relating to simple assault).

Section 2705 (relating to recklessly endangering another
person).

Section 2706 (relating to terroristic threats).

Section 2709 (relating to harassment).

Section 3127 (relating to indecent exposure).

Section 3307 when the offense is a misdemeanor of the
second degree.

Section 3503(b)(1)(i), (ii), (iii) and (iv), (b.1) and
(b.2).

Chapter 39 (relating to theft and related offenses).

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

Section 5503 (relating to disorderly conduct).

Section 6305 (relating to sale of tobacco products).

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

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

(9) Notification of law enforcement.

(10) Remedial programs involved.

(11) Parental involvement required.

(12) Arrests, convictions and adjudications, if known.

(c) Duties.--Prior to submitting the report required under
subsection (b), each chief school administrator and each law
enforcement agency having jurisdiction over school property of
the school entity shall comply with the following:

(1) No later than 30 days prior to the deadline for
submitting the report to the department required under
subsection (b), the chief school administrator shall submit
the report to the law enforcement agency with jurisdiction
over the relevant school property. The law enforcement agency
shall review the report and compare the data regarding
criminal offenses and notification of law enforcement to
determine whether the report accurately reflects law
enforcement incident data.

(2) No later than 15 days prior to the deadline for the
chief school administrator to submit the report required
under subsection (b), the law enforcement agency shall notify
the chief school administrator, in writing, whether the
report accurately reflects law enforcement incident data.
Where the law enforcement agency determines that the report
accurately reflects law enforcement incident data, the chief
of police shall sign the report. If the law enforcement
agency determines that the report does not accurately reflect
law enforcement incident data, the law enforcement agency
shall indicate any discrepancy between the report and law
enforcement incident data.

(3) Prior to submitting the report required under
subsection (b), the chief school administrator and the law
enforcement agency shall attempt to resolve any discrepancy
between the report and law enforcement incident data. If a
discrepancy remains unresolved, the law enforcement agency
shall notify the chief school administrator and the
department in writing.
(4) If a law enforcement agency fails to take action as required under paragraph (2) or (3), the chief school administrator shall submit the report required under subsection (b) and indicate that the law enforcement agency failed to take action as required under paragraph (2) or (3), as applicable.

(d) Advisory committee. A chief school administrator shall form an advisory committee composed of relevant school staff, including but not limited to, principals, security personnel, school safety and security coordinator, emergency services personnel, school security personnel, guidance counselors and special education administrators to assist in the development of a memorandum of understanding under this section. In consultation with the advisory committee, the chief school administrator shall enter into a memorandum of understanding with law enforcement agencies having jurisdiction over school property of the school entity. The chief school administrator shall submit a copy of the memorandum of understanding to the department by June 30, 2024, and biennially update and re-execute a memorandum of understanding with law enforcement and file the memorandum with the department on a biennial basis. The memorandum of understanding shall be signed by the chief school administrator, the chief of police of the law enforcement agency with jurisdiction over the relevant school property and principals of each school building of the school entity. The memorandum of understanding shall comply with the regulations promulgated under section 1306.2-B and shall also include:

(1) A procedure for law enforcement agency review of the annual report required under subsection (b) prior to the chief school administrator filing the report with the
department.

(2) A procedure for the resolution of a school violence-
data discrepancy in the report prior to filing the report-
required with the department.

(3) Additional matters pertaining to crime prevention-
agreed to between the chief school administrator and the law-
enforcement agency.

(e) Construction. Pursuant to 20 U.S.C. § 1415(k)(6)
(relating to procedural safeguards), nothing in section 1202.1 A-
or this section shall be construed to prohibit a school entity-
from reporting a crime committed by a child with a disability to-
appropriate authorities or to prevent State law enforcement and-
judicial authorities from exercising their responsibilities with-
regard to the application of Federal and State law to crimes-
committed by a child with a disability.

(f) Noncompliance. If a school entity or law enforce-
ment agency fails to comply with the provisions of this section, the-
school entity or law enforcement agency may not be awarded any-
grant administered by the committee until such time as the-
school entity or law enforcement agency has complied with this-
section.

(g) Report to the General Assembly.—

(1) The committee shall review and make recommendations-
in a report to the General Assembly relating to the-
following:

(i) All required reporting under this section,
including consideration of the criminal offenses under-
subsection (b)(7) and (8).

(ii) All required reporting under this article and-
Article XIII-C.
The recommendations shall, at a minimum, include whether the appropriate amount of data is being collected and, if applicable, proposed elimination of any duplicative reporting requirements.

The committee shall transmit notice of the reports under subparagraphs (1) and (2) to the department and the General Assembly. The committee shall transmit notice of the reports to the Legislative Reference Bureau for publication in the next available issue of the Pennsylvania Bulletin.

Section 1320-B. Safe schools advocate in school districts of the first class.

(a) Establishment. The Executive Director of the commission shall establish, within the commission, a safe schools advocate for each school district. The safe schools advocate shall not be subject to 71 Pa.C.S. Pt. III (relating to civil service reform). The advocate shall establish and maintain an office within the school district.

(b) Powers and duties. The safe schools advocate shall have the power and its duties shall be:

1. To monitor on an annual basis, the school district's compliance with this section and the memorandum of understanding with the appropriate local law enforcement agency by selecting, reviewing and analyzing a sample of the school district's reporting under section 1319-B.

2. For the purposes of victim advocacy and to assist in the annual monitoring process under paragraph (1), to have direct access to the school district's internal document supporting the information required to be reported under section 1319-B.

3. To monitor the school district's compliance with the...
mandatory expulsion requirements of sections 1317.2 and
1318.1.

(4) To receive inquiries from school staff and parents or
educators of students who are victims of conduct that
constitutes a criminal offense on school property or to or
from school.

(5) To establish a protocol, in consultation with the
Juvenile Court Judges' Commission, to assure timely receipt
by the school district of information regarding students who
have been adjudicated delinquent under 42 Pa.C.S. § 6341(b.1)
(relating to adjudication) and to monitor the school
district's use of that information to ensure that victims are
protected.

(6) To establish a program to assure extensive and
continuing public awareness of information regarding the role
of the advocate on behalf of victims of conduct that
constitutes a criminal offense on school property or to or
from school, which may include the mailing of information to
the parents or guardians of students in the school district
or other forms of communication.

(7) To prepare an annual report regarding the activities
of the advocate during the prior fiscal year and any
recommendation for remedial legislation, regulation or school
district administrative reform, which shall be submitted to
the school district superintendent, the secretary, the
Executive Director of the commission, the chairperson of the
Education Committee of the Senate and the chairperson of the
Education Committee of the House of Representatives by August
15 of each year.

(c) Additional duties. A safe schools advocate shall, on
behalf of victims of conduct that constitutes a criminal offense on school property or victims of at least two infractions of the school district's code of conduct:

(1) Provide assistance and advice, including information on support services provided by victim assistance offices of the appropriate district attorney and through local community-based victim service agencies.

(2) Provide information to the parent or guardian of a student victim regarding the disciplinary process and any action ultimately taken against the student accused of committing the conduct that constitutes a criminal offense.

(3) If the possession or use of a weapon is involved, advise the parent or guardian of the victim whether the school district properly exercised its duty under section 1317.2.

(4) If the advocate has received a request by the parent or guardian of the victim, attend formal disciplinary proceedings.

(5) With the consent of the parent or guardian of the victim, participate and present information in the disciplinary proceeding, which may include:

   (i) making oral or written presentations, including testimony by the victim or the parent or guardian of the victim, regarding the impact on the victim and the victim's family and the appropriate disciplinary action, and

   (ii) conducting direct or cross-examination of witnesses.

(6) If the perpetrator of conduct that constitutes a criminal offense returns to school after placement under a
consent decree, adjudication of delinquency or conviction of a criminal offense, assist the parent or guardian of the victim in providing input to the school district and the appropriate juvenile or criminal justice authority to ensure the victim's safety on school property.

(7) If a school district has failed to report to the appropriate law enforcement agency as required by the memorandum of understanding, report the act directly.

(8) Provide information to the office of the district attorney regarding the impact of the conduct that constitutes a criminal offense on the victim and the victim's family.

(d) Notification.

(1) Upon discovery of the commission of conduct that constitutes a criminal offense upon a student, the school district shall immediately notify the safe schools advocate of the incident, including the details of the incident and all of the individuals involved, and immediately notify the victim, the victim's parent or legal guardian.

(2) The form of the notice to the victim or the victim's parent or legal guardian shall be developed by the advocate and provided to the school district and shall include the address and telephone number of the advocate and a brief description of the purposes and functions of the safe schools advocate.

(3) The principal of each school within the school district shall post a notice not less than 8 1/2" by 11" entitled "Safe Schools Advocate" at a prominent location within each school building, where notices are usually posted.

(4) The form of the notice shall also be developed by
the safe schools advocate and provided to the school
district.

c. Cooperation. School administrators in a school district
shall cooperate with the safe schools advocate to implement this
section and provide the advocate, upon request, with all
available information authorized by State law.

d. Applicable provisions. The advocate and all employees
and agents of the safe schools advocate shall be subject to and
20 U.S.C. § 1232g (relating to family educational and privacy
rights) and 34 CFR Pt. 99 (relating to family educational rights
and privacy).

e. Limitation. This section shall not apply to the extent
that it would conflict with the requirements of 20 U.S.C. Ch. 33
(relating to education of individuals with disabilities) or
other applicable Federal statute or regulation.

f. Standing.

1. If a student in a school district is a victim of an
act of violence involving a weapon on school district
property and the student who possessed the weapon was not
expelled under section 1317.2, the parent or guardian of the
victim shall have standing to institute a legal proceeding to
obtain expulsion of the student.

2. The Office of General Counsel shall have standing to
bring an action on behalf of a victim or the parent or
guardian of a victim of an act of violence in a school in a
school district to modify, clarify or eliminate a consent
decree that is related to discipline in the school district
if, in consultation with the advocate, the Office of General
Counsel believes that the action is in the best interests of
the students of the school district.
(3) The Executive Director of the commission, in consultation with the General Counsel, may designate a portion of the funds provided for the safe schools advocate:

(i) For contracts for legal services to assist low-income parents or guardians of victims to obtain legal services for proceedings under subsection (a).

(ii) To challenge a consent decree under subsection (b) or to bring an action under this act.

(4) The designation of attorneys to receive funds under this subsection shall be within the discretion of the Office of General Counsel after consultation with the safe schools advocate.

(5) Designated funds not expended under this subsection shall lapse to the General Fund.

(6) Legal proceedings under this section shall be conducted by an attorney designated by the Office of General Counsel in consultation with the safe schools advocate. The attorney must be a member of the bar in good standing.

(i) Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Low-income parent or guardian." A parent whose family income is no greater than 250% of the Federal poverty level.

"School district." A school district of the first class.

"Victim." An individual against whom a crime has been committed or attempted and who, as a direct result of the criminal act or attempt, suffers physical or mental injury, death or the loss of earnings as those terms are defined under section 103 of the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act. The term may include an
Section 1321-B. Enforcement.

(a) Procedure.--

(1) If a school district of the first class fails to comply with the requirement to provide information to the safe schools advocate under section 1320-B, the advocate shall provide documentation of the failure to the Secretary of Education and the commission.

(2) If the Secretary of Education determines that there is noncompliance, the secretary shall direct the school district of the first class to take corrective action. If the school district of the first class fails to take corrective action within 60 days, the secretary shall notify the advocate and the Office of General Counsel. The Office of General Counsel, in consultation with the safe schools advocate, shall designate an attorney to bring an action in a court of competent jurisdiction to obtain compliance.

(3) If the Secretary of Education determines that the school district of the first class has complied with the requirements to provide information to the safe schools advocate, the secretary shall convene a public hearing at which the safe schools advocate shall be permitted to testify regarding the alleged noncompliance.

(4) Legal proceedings under this subsection shall be conducted by an attorney designated by the Office of General Counsel in consultation with the safe schools advocate. The attorney must be a member of the bar in good standing.

(b) Construction of article and other laws.--Nothing in this article or any other provision of law shall be construed as granting a right of status for or participation by the safe
schools advocate in a grievance or arbitration proceeding arising out of a collective bargaining agreement.

Section 19. The definition of "third-party vendor" in section 1301-C of the act is amended and the section is amended by adding a definition to read:

Section 1301 C. Definitions.

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

***

"Committee." The School Safety and Security Committee established under section 1302-B.

***

"Third-party vendor." A company or entity approved by [the Office for Safe Schools under section 1302-A(b)(8) or the commission under section 1315-C(2) that provides school security services.

Section 20. Section 1302-C of the act is amended by adding a subsection to read:

Section 1302-C. School police officers.

***

(c) Reporting.--

(1) A school entity or nonpublic school that has applied to the court to appoint a person or persons to act as school police officers under subsection (a) on or after the effective date of this subsection shall, within 30 days of approval of the appointment from the court, submit a copy of the court's order to the committee.

(2) A school entity or nonpublic school that has previously applied to the court to appoint a person or
persons to act as school police officers prior to the
effective date of this subsection shall, within 120 days of
the effective date of this paragraph, submit a copy of the
court's order relating to the appointment of each school
police officer to the committee.

(3) The provisions of section 1305 B(e) shall apply to
any data provided to the committee under this subsection.

Section 21. Sections 1303 C and 1314 C(b)(3)(i)(C) of the
act are amended to read:

Section 1303 C. Annual report.

A school entity or nonpublic school which employs or
contracts for a school police officer shall report annually to
the department, the committee and the commission the following
information regarding school police officers receiving training
as required under 53 Pa.C.S. Ch. 21 Subch. D (relating to
municipal police education and training):

(1) The identity of the school entity or nonpublic
school and the number of school police officers employed or
contracted by the school entity or nonpublic school.

(2) The municipalities comprising the school entity or
in which the nonpublic school is located.

(3) The date and type of training provided to each
school police officer.

Section 1314 C. School security guards.

***

(b) Training. The following shall apply:

***

(3) An armed school security guard who is employed or
contracted by a school entity or nonpublic school before
September 2, 2019, shall have until February 28, 2020, to
complete the instruction under paragraph (i) unless an
extension is approved through the following process:

(i) The governing body of a school entity or
nonpublic school may approve an extension of the deadline
specified in this paragraph for armed school security
guards to complete the required instruction due to a
hardship in complying with the deadline. The deadline may
be extended to no later than the beginning of the 2020-
2021 school year. The following shall apply:

***

(C) The school entity or nonpublic school shall
submit the approved hardship extension to [the Office
of Safe Schools within] the department not later than
15 days from the date of approval. Any documentation
submitted under this clause may not be subject to
inspection and duplication under the act of February
14, 2008 (P.L.6, No.3), known as the Right-to-Know
Law.

***

Section 22 5.1. Section 1403-A(c)(1), (d) and (e) of the
act, amended July 8, 2022 (P.L.620, No.55), are amended to read:
Section 1403-A. Scope of program and selection of students.

* * *

(c) Student requirements.--A student may enroll in the
recovery high school under the program if the following apply:

[(1) (i) Subject to subparagraph (ii), the student
resides in a school district of the first class, which
has approved the student's enrollment in the recovery
high school under the program and, with the written
consent of the student's parent or guardian, has applied

20230SB0843PN1290 - 109 -
for enrollment in the recovery high school on the
student's behalf.

(ii) If fewer than 20 students residing in a school
district of the first class enroll in the recovery high
school under the program at any time under subparagraph
(i), a student who resides in a school district other
than a school district of the first class may enroll in
the recovery high school under the program if the
student's resident school district has approved the
student's enrollment in the recovery high school under
the program and, with the written consent of the
student's parent or guardian, has applied for enrollment
in the recovery high school on the student's behalf.]}

* * *

[(d) Approval or disapproval by resident school district.--
Within 15 days after a student's parent or guardian submits a
written request to the resident school district seeking the
student's enrollment in the recovery high school under the
program, the resident school district shall issue written notice
to the parent or guardian approving or disapproving the request.

(e) Hearing.--If a parent or guardian disagrees with a
resident school district's disapproval of the student's
enrollment in the recovery high school under the program, the
following shall apply:

(1) For a student with an IEP, the due process hearing
requirements of 22 Pa. Code Ch. 14 (relating to special
education services and programs) shall apply.

(2) For a student without an IEP, the resident school
district shall follow a notice and hearing process that the
department shall develop and post on its publicly accessible
Internet website.

(3) If a student's enrollment in the recovery high school under the program is not approved by the student's resident school district or if the student's parent or guardian chooses not to participate in the program established under section 1402-A, the student's parent or guardian may pay the student's tuition to enroll in the recovery high school, provided that the recovery high school has approved the student's enrollment in the recovery high school.

Section 236. The act is amended by adding a section to read:

Section 1403.1-A. Enrollment of students.

(a) Conditions.--A student may enroll in the recovery high school under the program established in section 1402-A if the following apply:

(1) Subject to paragraph (2), the student resides in a school district of the first class and the student's parent or guardian has applied for enrollment in the recovery high school on the student's behalf.

(2) If fewer than 20 students residing in a school district of the first class enroll in the recovery high school under the program at any time, a student who resides in a school district other than a school district of the first class may enroll in the recovery high school under the program if the student's parent or guardian has applied for enrollment in the recovery high school on the student's behalf.

(b) Payment.--The Department of Education shall pay any tuition due from the student's school district of residence.
under section 1405-A to the recovery high school by subtracting
the amount from State subsidies payable to the student's school
district of residence.

Section 24 7. Section 1404-A(c) of the act is amended to
read:

Section 1404-A. Academic programs.

* * *

[(c) Licensure.--If a student enrolled in the recovery high
school is subject to an IEP, the recovery high school must be
licensed to provide any services required to be provided under
the student's IEP.]

SECTION 8. SECTION 1551(A), (B) AND (F) OF THE ACT ARE
AMENDED AND THE SECTION IS AMENDED BY ADDING A SUBSECTION TO
READ:

SECTION 1551. ECONOMIC EDUCATION AND PERSONAL FINANCIAL
LITERACY PROGRAMS.--(A) THE DEPARTMENT SHALL HAVE THE POWER AND
ITS DUTY SHALL BE TO:

(1) PROVIDE RESOURCE INFORMATION ON ECONOMICS, ECONOMIC
EDUCATION AND PERSONAL FINANCIAL LITERACY TO EDUCATORS AND
PUBLIC AND PRIVATE SCHOOLS AND ORGANIZATIONS. THE DEPARTMENT
SHALL REVIEW AND UPDATE ITS EXISTING RESOURCE INFORMATION
FOLLOWING COMPLETION OF THE REVIEW OF THE STATE STANDARDS UNDER
THE STATE BOARD OF EDUCATION'S STANDARDS UNDER PARAGRAPH (2)
(II).

(2) PROVIDE FOR THE DISTRIBUTION, INCLUDING THROUGH THE
DEPARTMENT'S INTERNET WEBSITE, TO SCHOOL ENTITIES [OR] AND
PRIVATE, NONPUBLIC, ELEMENTARY OR SECONDARY SCHOOLS IN THIS
COMMONWEALTH, [TEACHER] OF MODEL CURRICULUM MATERIALS AND OTHER
AVAILABLE RESOURCES, INCLUDING ECONOMIC EDUCATION PARTNERSHIP
PROGRAMS, ON ECONOMIC EDUCATION AND PERSONAL FINANCIAL LITERACY,
INCLUDING THE BASIC PRINCIPLE INVOLVED WITH EARNING, SPENDING, SAVING AND INVESTING MONEY. THE MODEL CURRICULUM MATERIALS SHALL ALIGN WITH AND COMPLEMENT EXISTING STATE STANDARDS FOR [ECONOMICS, FAMILY AND CONSUMER SCIENCE, AND CAREER EDUCATION AND WORK] PERSONAL FINANCIAL LITERACY AS SET FORTH IN 22 PA. CODE CH. 4 (RELATING TO ACADEMIC STANDARDS AND ASSESSMENT). THE FOLLOWING SHALL APPLY:

(I) THE DEPARTMENT SHALL REVIEW AND UPDATE ITS EXISTING MODEL CURRICULUM MATERIALS AND OTHER AVAILABLE RESOURCES AS NECESSARY NO LATER THAN THE BEGINNING OF THE 2025-2026 SCHOOL YEAR AND WITHIN ONE YEAR AFTER ANY REVISION OF THE STATE STANDARDS UNDER SUBPARAGRAPH (II).

(II) THE STATE BOARD OF EDUCATION SHALL REVIEW THE EXISTING STATE STANDARDS FOR ECONOMICS, FAMILY AND CONSUMER SCIENCE, AND CAREER EDUCATION AND WORK AS SET FORTH IN 22 PA. CODE CH. 4 AND REVISE THE STANDARDS AS NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS SUBARTICLE.

(3) IDENTIFY AND RECOGNIZE COMMONWEALTH SCHOOLS THAT IMPLEMENT EXEMPLARY ECONOMIC AND ECONOMIC EDUCATION AND PERSONAL FINANCIAL LITERACY CURRICULA AT EACH BENCHMARK AS SET FORTH IN EXISTING STATE STANDARDS FOR ECONOMICS, FAMILY AND CONSUMER SCIENCE, AND CAREER EDUCATION AND WORK AS SET FORTH IN 22 PA. CODE CH. 4.

(4) MAINTAIN AN INVENTORY OF MODEL CURRICULUM ECONOMIC EDUCATION AND PERSONAL FINANCIAL LITERACY MATERIALS, PROGRAMS AND RESOURCES AVAILABLE IN COMMONWEALTH AGENCIES.

(B) IN DISTRIBUTING MODEL CURRICULUM MATERIALS AND RESOURCES FOR USE IN SCHOOLS, THE DEPARTMENT SHALL CONSIDER THOSE CURRENTLY AVAILABLE THROUGH INTERNATIONAL, NATIONAL, STATEWIDE AND LOCAL ECONOMIC, BANKING TRADE AND PERSONAL FINANCE EDUCATION
ORGANIZATIONS.

(B.1) (1) BEGINNING WITH THE 2026-2027 SCHOOL YEAR AND IN EACH SCHOOL YEAR THEREAFTER, A SCHOOL ENTITY OR NONPUBLIC SCHOOL SHALL PROVIDE A MANDATORY COURSE IN PERSONAL FINANCIAL LITERACY WITH A VALUE OF AT LEAST ONE-HALF CREDIT OR HALF OF A FULL CREDIT. STUDENTS SHALL BE REQUIRED TO COMPLETE THE COURSE ONCE DURING GRADE NINE, TEN, ELEVEN OR TWELVE.

(2) NOTHING IN THIS SUBSECTION SHALL BE CONSTRUED TO CIRCUMVENT THE PROVISIONS OF 20 U.S.C. CH. 33 (RELATING TO EDUCATION OF INDIVIDUALS WITH DISABILITIES). A STUDENT'S INDIVIDUALIZED EDUCATION PROGRAM MAY PROVIDE FOR ACCOMMODATIONS TO ENABLE THE STUDENT TO COMPLETE THE COURSE REQUIRED UNDER PARAGRAPH (1).

(3) THE DEPARTMENT SHALL DEVELOP OR IDENTIFY A MODEL CURRICULUM AND A LIST OF EDUCATION MATERIALS WHICH A SCHOOL ENTITY OR NONPUBLIC SCHOOL MAY USE IN PROVIDING THE COURSE REQUIRED UNDER PARAGRAPH (1). THE DEPARTMENT SHALL CONSULT WITH MULTIPLE ORGANIZATIONS SPECIALIZING IN FINANCIAL LITERACY EDUCATION IN DEVELOPING THE MODEL CURRICULUM AND EDUCATIONAL MATERIALS. THE DEPARTMENT MAY UPDATE EXISTING MODEL CURRICULUM MATERIALS IF NECESSARY AND OTHER AVAILABLE RESOURCES UNDER SUBSECTION (A) AS NECESSARY TO COMPLY WITH THIS PARAGRAPH AND SHALL UPDATE THE EXISTING MODEL CURRICULUM MATERIALS AND OTHER AVAILABLE RESOURCES WITHIN ONE YEAR OF THE DATE OF REVISION OF THE STATE STANDARDS UNDER SUBSECTION (A)(2)(II).

(4) THE DEPARTMENT SHALL CLARIFY WHICH CERTIFICATIONS ARE NECESSARY TO QUALIFY AN EDUCATOR TO PROVIDE INSTRUCTION OF THE COURSE REQUIRED UNDER PARAGRAPH (1), WHICH SHALL INCLUDE, AT A MINIMUM, FAMILY AND CONSUMER SCIENCE, BUSINESS, COMPUTER AND INFORMATION TECHNOLOGY, MATHEMATICS AND SOCIAL STUDIES. THE
DEPARTMENT SHALL REVISE ITS CERTIFICATION AND STAFFING POLICY GUIDELINES AS NECESSARY TO REFLECT THE QUALIFICATIONS SPECIFIED UNDER THIS PARAGRAPH.

(5) AN EDUCATOR WHO IS ASSIGNED TO PROVIDE INSTRUCTION OF THE COURSE REQUIRED UNDER PARAGRAPH (1) MAY NOT:

(I) LOSE A PLANNING PERIOD AS A RESULT OF THE ASSIGNMENT, EXCEPT IN ACCORDANCE WITH A COLLECTIVE BARGAINING AGREEMENT BETWEEN A SCHOOL ENTITY AND AN EMPLOYEE ORGANIZATION; OR

(II) BEAR ANY COSTS RELATED TO EARNING AN ADD-ON CERTIFICATION NECESSARY TO PROVIDE THE INSTRUCTION.

(6) NOTHING IN THIS SUBSECTION SHALL SUPERSEDE OR PREEMPT ANY PROVISION OF A COLLECTIVE BARGAINING AGREEMENT BETWEEN A SCHOOL ENTITY AND AN EMPLOYEE ORGANIZATION.

* * *

(F) THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS SECTION SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION:

"DEPARTMENT." THE DEPARTMENT OF EDUCATION OF THE COMMONWEALTH.

"EDUCATOR." AS DEFINED IN SECTION 1.2 OF THE ACT OF DECEMBER 12, 1973 (P.L.397, NO.141), KNOWN AS THE "EDUCATOR DISCIPLINE ACT."


"PERSONAL FINANCIAL LITERACY." THE INTEGRATION OF VARIOUS FACTORS RELATING TO PERSONAL FINANCIAL MANAGEMENT, INCLUDING UNDERSTANDING FINANCIAL INSTITUTIONS, USING MONEY, LEARNING TO
MANAGE PERSONAL ASSETS AND LIABILITIES, CREATING BUDGETS AND any
other factors that may assist an individual in this commonwealth
to be financially responsible.

"PLANNING PERIOD." A period of time during a school day
which an educator may use for professional duties, including
instructional preparation and planning, communications with
parents and legal guardians of students and evaluating student
work.

"SCHOOL ENTITY." A [PUBLIC] school district, charter school,
cyber charter school, regional charter school, intermediate unit
or area career and technical school.

"SECRETARY." The secretary of education of the commonwealth.

Section 25 9. The act is amended by adding a section to read:

Section 1517-D. Quarterly reporting.

(a) Duty of department.--No later than March 31, 2024, the
department shall amend the department's system to allow for
collection of information required under this subsection.

(b) Information to be collected.--Beginning on April 1,
2024, an approved provider shall provide to the department:

(1) Notice and information on an eligible student
enrolled in a program-funded slot in the approved provider's
program within 15 days of the enrollment.

(2) Notice and information on an eligible student's
removal from enrollment in a program-funded slot in the
approved provider's program within 15 days from the removal
of enrollment.

(c) Report.--By July 31, 2024, and each quarter thereafter,
the department shall, from the information reported by the
approved providers under subsection (b), report to the
chairperson and minority chairperson of the Appropriations Committee of the Senate and the chairperson and minority chairperson of the Appropriations Committee of the House of Representatives the following:

(1) The total number of eligible students enrolled in a program-funded slot for each approved provider organized by month in the previous quarter.

(2) The number of eligible students newly enrolled in a program-funded slot for each approved provider organized by month in the previous quarter.

(3) The number of eligible students removed from enrollment in a program-funded slot for each approved provider organized by month in the previous quarter.

(4) The number of eligible students enrolled for 90% of the month in a program-funded slot for each approved provider organized by month in the previous quarter.

(5) The number of total funded slots for each approved provider by month in the previous quarter.

(6) A listing by county of the total number of requested program-funded slots for students from eligible providers in the county and the total number of slots approved for all approved providers in the county for the current fiscal year.

(7) Other information the department deems necessary.

(d) Duty of secretary.--By the July 31, 2024, report and each quarterly report thereafter, the Secretary of Education and Deputy Secretary for the Office of Child Development and Early Learning shall meet in person with
the chairperson, or a designee, and minority chairperson, or a
designee, of the Appropriations Committee of the Senate and the
chairperson, or a designee, and minority chairperson, or a
designee, of the Appropriations Committee of the House of
Representatives to report on the information collected under
this section. The requirement under this subsection may be
waived by agreement in writing of the chairperson and minority
chairperson of the Appropriations Committee of the Senate and
the chairperson and minority chairperson of the Appropriations
Committee of the House of Representatives.

Section 26 10. Section 1607(b) of the act is amended by
adding a paragraph and the section is amended by adding a
subsection to read:

Section 1607. Attendance in Other Districts.--* * *

(b) If a third class school district operating under a
special board of control pursuant to section 692 has, with the
approval of the Secretary of Education, curtailed its
educational program by eliminating its high school and has not
assigned its high school pupils to another school district and
provided adequate transportation in a manner under subsection
(a), the secretary shall have the following authority:

* * *

(5) For the 2023-2024 school year and each school year
thereafter, the per pupil tuition rate that a school district
designated under paragraph (1) shall receive for each reassigned
student in a regular or special education program shall be the
sum of:

(i) the tuition rate established for the prior school year;
and

(ii) the product of:
(A) the tuition rate established for the prior school year; and
(B) the average of the most recent percentage increase in the Statewide average weekly wage and the employment cost index as defined in the "Taxpayer Relief Act."

* * *

(b.2) (1) A school district that eliminated its high school under subsection (b) shall not reopen its high school without the approval of the Secretary of Education.

(1.1) The distressed school district subject to this section may submit a plan to reopen its high school to the Secretary of Education.

(2) Upon receipt of a plan, the Secretary of Education may consider the following information as a basis for approval:

(i) The financial sustainability of the plan to reopen the high school.

(ii) The demographic trends of the distressed school district subject to this section.

(iii) Proposed faculty levels and curriculum offerings.

(iv) The contents of the most recent report required under subsection (i)(2).

(v) The involvement of the school districts identified under subsection (b)(1) in the plan to reopen the high school.

(vi) Any other information as determined by the Secretary of Education.

* * *

Section 27. Section 1913-A(b)(1.6) of the act is amended by adding a subparagraph to read:

Section 1913-A. Financial Program; Reimbursement of Payments. * * *
(b) * * *

(1.6) For the 2006-2007 fiscal year and each fiscal year thereafter, the payment for a community college shall consist of the following:

* * *

(xviii) For the 2023-2024 fiscal year, each community college shall receive an amount equal to the following:

(A) An amount equal to the reimbursement for operating costs received in fiscal year 2022-2023 under subparagraphs (xvi)(A) and (C) and (xvii).

(B) An amount equal to the economic development stipend received in fiscal year 2022-2023 under subparagraph (xvi)(B).

(C) For each community college that receives funding under clauses (A) or (B), an additional amount for operating costs determined for each community college, as follows:

(I) Multiply the audited full-time equivalent enrollment as verified under subsection (k.1) for the most recent year available for the community college by $5,130,000.

(II) Divide the product in subclause (I) by the sum of the audited full-time equivalent enrollment as verified under subsection (k.1) for the most recent year available for all community colleges that receive funding under subparagraphs (A) and (B).

* * *

Section 28. The act is amended by adding a section to read:

Section 2327. State Aid for Fiscal Year 2023-2024.

Notwithstanding any other provision of law to the contrary, from money appropriated for a subsidy to public libraries, funds shall be distributed in fiscal year 2023-2024 as follows:

(1) The State Librarian shall distribute $6,717 to each
district library center that received less than the amount
specified under 24 Pa.C.S. § 9338(b)(2) (relating to district
library center aid) in fiscal year 2022-2023 from funds
allocated under section 2326(1).

(2) All funds remaining after the distribution under
paragraph (1) shall be distributed to each library under the
following formula:

(i) Divide the sum of the amount of funding the
library received in fiscal year 2022-2023 under section
2326(1) and paragraph (1) by the sum of the total amount
of State aid provided under section 2326(1) and paragraph
(1).

(ii) Multiply the quotient under subparagraph (i) by
$70,422,981.

(3) Following distribution of funds appropriated for
State aid to libraries under paragraphs (1) and (2), any
remaining funds may be distributed at the discretion of the
State Librarian.

(4) If funds appropriated for State aid to libraries in
fiscal year 2023-2024 are less than funds appropriated in
fiscal year 2002-2003, the State Librarian may waive
standards as prescribed in 24 Pa.C.S. Ch. 93 (relating to
Public Library Code).

(5) Each library system receiving State aid under this
subsection may distribute the local library share of that aid
in a manner as determined by the board of directors of the
library system.

(6) In the case of a library system that contains a
library operating in a city of the second class, changes to
the distribution of State aid to the library shall be made by
mutual agreement between the library and the library system.

(7) In the event of a change in district library center population prior to the effective date of this section as a result of:

(i) a city, borough, town, township, school district or county moving from one library center to another; or

(ii) a transfer of district library center status to a county library system; funding of district library center aid shall be paid based on the population of the newly established or reconfigured district library center.

(8) In the event of a change in direct service area from one library to another, the State Librarian, upon agreement of the affected libraries, may redistribute the local library share of aid to the library currently servicing the area.

Section 29. Sections 2502.8(b)(1), 2509.1(c.2)(1) and 2510.3(a)(2) of the act, amended July 8, 2022 (P.L.620, No.55), are amended to read:


(b) For the 1981-1982 school year through the 1984-1985 school year, each school district so entitled shall be paid, in addition to any other subsidy to which it is entitled, an amount on account of resident pupils enrolled in career and technical curriculums; for the 1985-1986 school year through the 1999-2000 school year, each school district and area career and technical school shall be paid an amount on account of students enrolled in career and technical curriculums; for the 2000-2001 school year and each school year thereafter, each school district, area career and technical school and charter school shall be paid an —
amount on account of students enrolled in career and technical curriculums, determined as follows:

(1) Determine the increase in the weighted average daily membership by multiplying the number of students in average daily membership in career and technical curriculums in area career and technical schools by twenty one hundredths (.21) and the number of students in average daily membership in school district and charter school career and technical curriculums by seventeen hundredths (.17); except:

(i) for the 2021-2022 school year and each fiscal year thereafter, determine the increase in the weighted average daily membership by multiplying the number of students in average daily membership in career and technical curriculums in area career and technical schools by two thousand two hundred seventy-six ten thousandths (.2276) and the number of students in average daily membership in school district and charter school career and technical curriculums by one thousand eight hundred forty-four ten thousandths (.1844).

(ii) For the 2022-2023 school year and each fiscal year thereafter, determine the increase in the weighted average daily membership by multiplying the number of students in average daily membership in career and technical curriculums in area career and technical schools by two thousand four hundred seventy-two ten thousandths (.2472) and the number of students in average daily membership in school district and charter school career and technical curriculums by two thousand eleven ten thousandths (.2011).

***

Section 2509.1. Payments to Intermediate Units.

(c.2) The following apply:
For the 2016-2017, 2017-2018, 2018-2019, 2019-2020, 2020-2021, 2021-2022, and 2022-2023 school years, five and five-tenths percent (5.5%) of the State special education appropriation shall be paid to intermediate units on account of special education services.

***

SECTION 10.1. The definition of "opportunity scholarship organization", "pre-kindergarten scholarship organization" and "scholarship organization" in section 2002-B of the act are amended to read:

SECTION 2002-B. Definitions.

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

***

"opportunity scholarship organization." A nonprofit entity which:

1. Is exempt from federal taxation under section 501(c)(3) of the internal revenue code of 1986 (Public Law 99-514, 26 U.S.C. § 1 et seq.); and

2. Contributes at least [80%] 90% of the entity's annual cash receipts to an opportunity scholarship program[.]

or at least 85% of the annual cash receipts if the entity reports an annual IRS program expense percentage of greater than 90% on its IRS 990 tax filing.

For the purposes of this definition, a nonprofit entity contributes the entity's cash receipts to an opportunity scholarship program when the entity expends or otherwise irrevocably encumbers those funds for distribution during the then-current fiscal year of the nonprofit entity or during the 20230SB0843PN1290 - 124 -
NEXT SUCCEEDING FISCAL YEAR OF THE NONPROFIT ENTITY.

**PRE-KINDERGARTEN SCHOLARSHIP ORGANIZATION.** A NONPROFIT ENTITY WHICH:

1. IS EXEMPT FROM FEDERAL TAXATION UNDER SECTION 501(C) (3) OF THE INTERNAL REVENUE CODE OF 1986 OR IS OPERATED AS A SEPARATE SEGREGATED FUND BY A SCHOLARSHIP ORGANIZATION THAT HAS BEEN QUALIFIED UNDER SECTION 2003-B; AND
2. CONTRIBUTES AT LEAST 80% 90% OF ITS ANNUAL CASH RECEIPTS TO A PRE-KINDERGARTEN SCHOLARSHIP PROGRAM BY EXPENDING OR OTHERWISE IRREVOCABLY ENCUMBERING THOSE FUNDS FOR DISTRIBUTION DURING THE THEN-CURRENT FISCAL YEAR OF THE ORGANIZATION OR DURING THE NEXT SUCCEEDING FISCAL YEAR OF THE ORGANIZATION OR AT LEAST 85% OF THE ANNUAL CASH RECEIPTS IF THE ENTITY REPORTS AN ANNUAL IRS PROGRAM EXPENSE PERCENTAGE OF GREATER THAN 90% ON ITS IRS 990 TAX FILING.

**SCHOLARSHIP ORGANIZATION.** A NONPROFIT ENTITY WHICH:

1. IS EXEMPT FROM FEDERAL TAXATION UNDER SECTION 501(C) (3) OF THE INTERNAL REVENUE CODE OF 1986; AND
2. CONTRIBUTES AT LEAST 80% 90% OF ITS ANNUAL CASH RECEIPTS TO A SCHOLARSHIP PROGRAM OR AT LEAST 85% OF THE ANNUAL CASH RECEIPTS IF THE ENTITY REPORTS AN ANNUAL IRS PROGRAM EXPENSE PERCENTAGE OF GREATER THAN 90% ON ITS IRS 990 TAX FILING.

FOR PURPOSES OF THIS DEFINITION, A NONPROFIT ENTITY "CONTRIBUTES" ITS ANNUAL CASH RECEIPTS TO A SCHOLARSHIP PROGRAM WHEN IT EXPENDS OR OTHERWISE IRREVOCABLY ENCUMBERS THOSE FUNDS FOR DISTRIBUTION DURING THE THEN-CURRENT FISCAL YEAR OF THE NONPROFIT ENTITY OR DURING THE NEXT SUCCEEDING FISCAL YEAR OF THE 20230SB0843PN1290 - 125 -
SECTION 10.2. SECTION 2302-A INTRODUCTORY PARAGRAPH AND (5) OF THE ACT ARE AMENDED TO READ:

SECTION 2302-A. REGULATION OF ON-CAMPUS CREDIT CARD MARKETING.--THE BOARD SHALL REQUIRE AN INSTITUTION OF HIGHER EDUCATION TO ESTABLISH A POLICY THAT REGULATES THE MARKETING OF CREDIT CARDS ON CAMPUS. THE POLICY MAY PROHIBIT ANY MARKETING OF CREDIT CARDS ON THE CAMPUS. IN ESTABLISHING THE POLICY, THE INSTITUTION OF HIGHER EDUCATION SHALL, FOR STUDENTS ENTERING IN THE 2024-2025 SCHOOL YEAR, INCORPORATE INTO ORIENTATION PROGRAMMING PRESENTATIONS ON CREDIT CARD DEBT EDUCATION AND MONEY MANAGEMENT SKILLS FOR STUDENTS. THE INSTITUTION OF HIGHER EDUCATION SHALL ALSO CONSIDER ALL OF THE FOLLOWING:

* * *

[(5) INCORPORATING INTO ORIENTATION PROGRAMMING A CREDIT CARD DEBT EDUCATION PRESENTATION.]

SECTION 11. SECTION 2510.3(A)(2) OF THE ACT, AMENDED JULY 8, 2022 (P.L.620, NO.55), IS AMENDED TO READ:

Section 2510.3. Assistance to School Districts Declared to be in Financial Recovery Status or Identified for Financial Watch Status.--(a) The following apply:

* * *

(2) For the 2017-2018, 2018-2019, 2019-2020, 2020-2021, 2021-2022, 2022-2023, and 2023-2024 fiscal years, the Department of Education may utilize up to seven million dollars ($7,000,000) of undistributed funds not expended, encumbered or committed from appropriations for grants, subsidies and assessments made to the Department of Education to assist school districts declared to be in financial recovery status under
section 621-A, identified for financial watch status under section 611-A or identified for financial watch status under section 694-A; except that the funds must be first utilized to accomplish the provisions contained in section 695-A] 694-A OR SUBJECT TO OVERSIGHT DURING THE TRANSITION PERIOD UNDER SECTION 625-A. The funds shall be transferred by the Secretary of the Budget to a restricted account as necessary to make payments under this section and, when transferred, are hereby appropriated to carry out the provisions of this section.

* * *

Section 30. Section 2599.6 of the act is amended by adding a subsection to read:

Section 2599.6. Ready-to-Learn Block Grant. * * *

(a.4) For the 2023-2024 school year and each school year thereafter, each school entity shall receive a Ready-to-Learn Block Grant in an amount not less than the amount received by the school entity from the appropriation for the Ready-to-Learn Block Grant during the 2022-2023 fiscal year.

* * *

Section 31. Section 2599.7(b), (c) and (d) of the act are amended to read:

Section 2599.7. Payment of Required Contribution for Public School Employes' Social Security. * * *

(b) For the fiscal year beginning July 1, 2019, through the fiscal year ending June 30, 2023, payment of the amounts calculated under 24 Pa.C.S. § 8329 for school districts shall be made from the appropriation for basic education funding.

(c) For the fiscal year beginning July 1, 2019, through the fiscal year ending June 30, 2023, if insufficient funds are available for payment of the amounts calculated under 24 Pa.C.S.
§ 8329 for school districts, the Department of Education shall notify the Governor, the chairperson and minority chairperson of the Appropriations Committee of the Senate and the chairperson and minority chairperson of the Appropriations Committee of the House of Representatives of the amount of the insufficiency. An amount equal to the insufficiency may only be paid to school districts from a supplemental appropriation in the general appropriations act.

(d) For the fiscal year beginning July 1, 2019, through the fiscal year ending June 30, 2023, if the amount calculated for payments to school districts under 24 Pa.C.S. § 8329 exceeds the amount necessary, the Department of Education shall notify the Governor, the chairperson and minority chairperson of the Appropriations Committee of the Senate and the chairperson and minority chairperson of the Appropriations Committee of the House of Representatives of the amount of the excess. An amount equal to the excess shall be distributed to school districts as a supplemental payment calculated under the formula contained in section 2502.53.

***

Section 32. Section 2608-J of the act, amended July 8, 2022 (P.L.620, No.55), is amended to read:

Section 2608-J. Applicability.

This article shall apply to projects for which approval and reimbursement is sought and to the maintenance project grant program beginning July 1, 2023.

SECTION 12. THE PROVISIONS OF 22 PA. CODE ARE ABROGATED INSOFAR AS THEY ARE INCONSISTENT WITH THE AMENDMENT OF SECTION 1551 OF THE ACT.

Section 33. This act shall take effect as follows:

20230SB0843PN1290 - 128 -
(1) The addition of Article XII-B of the act shall take effect in 60 days.

(2) The remainder of this act shall take effect immediately.