



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

SENATE BILL NO. 144

PRINTERS NO. 1078

PRIME SPONSOR: Martin

COST / (SAVINGS)

FUND	FY 2018/19	FY 2019/20
General Fund	\$0	See Fiscal Impact

SUMMARY:

Senate Bill 144 establishes the Keystone Telepresence Education Grant Program and makes other changes related to school safety and security in the Public School Code. Effective dates vary by provision.

ANALYSIS:

Senate Bill 144 makes numerous changes throughout the School Code concerning school safety and security. The changes are summarized below by section and article.

Section 328. School Director Training Programs - adds an hour of initial and continuing education for school directors and charter school trustees to be focused on trauma-informed approaches to education.

Section 923.3-A. School Safety and Security Enhancements - This new section requires intermediate units (IU) to provide a program of school security enhancements 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. Through this program the IU will make application for school safety and security enhancement grants at the request of any nonpublic schools within its borders.

Section 1205.1. Continuing Professional Development - This section is amended to require the professional education plan of each school entity to include at least one hour of training in trauma-informed approaches.

Section 1205.7. Trauma-Informed Education - This new section defines and delineates the requirements of trauma-informed education.

Section 1207.1. Postbaccalaureate Certification - Instruction and training in trauma-informed approaches are added to these certification requirements.

Section 1217. Pennsylvania School Leadership Standards - These standards are amended to include understanding the impact of trauma on a child's educational experience, the school's

culture, climate and demographics and the community as a whole and applying trauma-informed approaches to inform decision-making at all levels of the system.

Section 1302-A. Office for Safe Schools – This section is amended to allow the Office to make targeted grants to IU’s on behalf of nonpublic schools. Beginning in fiscal year 2019-2020, grants awarded will not exceed the amount awarded in fiscal year 2018-2019 and no less than \$3.2 million will be awarded to intermediate units on behalf of nonpublic schools.

Section 1301-B. Definitions – Cyber charter school, regional charter school, approved private school and chartered school for the education of the deaf or the blind are added to the definition of school entity and a definition for state-related institution of higher education is also added, as it is defined elsewhere in the School Code.

Section 1302-B. School Safety and Security Committee – Four additional members are added to this Committee.

Section 1305-B. Survey of school safety and security – This section is amended concerning the confidentiality of survey data and to require the survey be administered at a minimum of every two years.

Section 1306-B. School Safety and Security Grant Program – Several amendments are made to this section. School entities are permitted to make an application in a subsequent year for the same purpose and amount as awarded in a prior year.

The minimum grant award for a meritorious application is increased from \$25,000 according to the following schedule:

- For a school district with an average daily membership greater than 3,900, a minimum award of \$45,000.
- For a school district with an average daily membership greater than 2,100, but less than or equal to 3,900, a minimum award of \$40,000.
- For a school district with an average daily membership greater than 1,200, but less than or equal to 2,100, a minimum award of \$35,000.
- For a school district with an average daily membership less than or equal to 1,200, a minimum award of \$30,000.

In addition to this minimum award, no school entity may receive more than an additional \$450,000, except a school district of the first class, which may not receive an annual grant allocation that exceeds 7% of funds available, and a school district of the first class A, which may not receive more than 3% of funds available.

Grant allocations awarded to a cyber charter school are limited to the safety and security needs of students at facilities where tutoring, testing, supplemental programs and services or instruction for students with disabilities occur.

The committee may award a request made by a school entity in its grant application, in whole or in part, based upon the merit of a specific item requested. In addition, sustainability planning is not a

necessary component of a grant application. Grants will be awarded no later than March 1, 2020 and each March 1 thereafter.

Concerning community violence prevention programs, municipalities, institutions of higher education, community-based organizations and other entities approved by the committee are the only ones eligible for these grants.

The commission may randomly monitor grant recipients and the Auditor General is precluded from performing audits related to school safety and security assessments, survey instruments and grant applications.

Section 1307-B. Risk and Vulnerability Assessment Teams – The number of these teams is increased from three to six and the Pennsylvania State Police are required to make an annual report to the Governor and General Assembly on the activity of these teams.

Section 1309-B. School safety and security coordinator – The coordinators duties are amended to reflect trauma-informed approaches.

Section 1310-B. School safety and security training – These requirements are amended concerning trauma-informed approaches and identification or recognition of student behavior that may indicate a threat to the safety of the student, other students, school employees, school facilities, the community or others.

Section 1311-B. Trauma-informed approach – This new section requires the committee to develop a model trauma-informed approach plan to be used by a school entity applying for a school safety and security grant.

Section 1306-D. Judicial proceeding – Changes to this section concern how records from the Safe2Say program may be accessed through a judicial proceeding.

Section 1307-D. Annual report – Changes to this section specify that the annual report of the Safe2Say program will breakdown reports by intermediate units using only aggregate data.

Article XIII-E. Threat Assessment – This new article requires each school entity to establish at least one threat assessment team for the assessment of and intervention with students whose behavior may indicate a threat to the safety of the student, other students, school employees, school facilities, the community, or others. The article establishes membership qualifications, training, and reporting requirements for the threat assessment teams. The duties of the threat assessment team may be assigned to an existing team established by the school entity, which may be the student assistance program.

The article also establishes notification and referral requirements and procedures when a team makes a preliminary determination that a student's behavior may indicate a threat to the safety of the student, other students, school employees, school facilities, the community or others.

In order to carry out its duties, the threat assessment team must be given access to certain student data that is usually kept confidential, to the extent such access is permissible under federal law.

Local juvenile probation departments and other county agencies are required to consult with the threat assessment team in order to help the team carry out its duties, to the extent such agencies can do so in compliance with various state and federal laws.

The School Safety and Security Committee must develop threat assessment guidelines, training and information materials to assist threat assessment teams with their training and operations.

Section 1409. Confidentiality, Transference and Removal of Health Records - This section is amended to permit school entities to disclose information from records to appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals in accordance with the Family Educational Rights and Privacy Act.

Section 1513-D. Duties of department - This section is amended to add that the Department must encourage the integration of trauma-informed approaches into the program curriculum and the professional development curriculum of personnel of the eligible provider who have regular contact with children.

Article XV-J. Keystone Telepresence Education Grant Program - This new article establishes the Keystone Telepresence Education Grant Program for the purpose of awarding grants to intermediate units for the purchase of telepresence equipment and related support services for the educational support of homebound students. The grants will enable intermediate units to buy equipment that will allow students who are homebound due to a serious medical condition to participate in real time with the students in their classroom.

The Department of Education (PDE) must develop guidelines for the purchase of telepresence equipment and services related to the utilization of the equipment through the program, including department-approved telepresence equipment manufacturers. The Department will then determine the form and manner in which an application for a grant may be filed and provide notice of the program to intermediate units. The Department must also make grant applications available to all intermediate units along with details relating to the application process and adopt guidelines for the approval of grant applications.

All intermediate units are eligible for a grant and may apply by submitting one annual application to the Department. The Secretary of Education will then determine the amount to award to an intermediate unit in accordance with the guidelines of the program. No intermediate unit may receive an annual grant allocation that exceeds 10% of the funds available under the program. In order to apply for a grant, an intermediate unit must develop an internal policy for the use of telepresence equipment and related support services.

An intermediate unit which is awarded a grant must use it to purchase telepresence equipment and make that equipment available, free of charge, to public and nonpublic schools within the intermediate unit for the educational needs of homebound students. A grant may be used, in part,

to secure technical support, mechanical support and training related to the use of the telepresence equipment. An intermediate unit which is awarded a grant must submit to PDE a report detailing all expenditures related to the use of the grant.

Section 2603-B. Powers and Duties of the Board – Adds that the Board must adopt policies encouraging the inclusion of trauma-informed approaches in professional education curriculum in all public and private institutions of higher education in this Commonwealth issuing degrees to individuals who may desire to teach in the schools of this Commonwealth.

Section 2604-B. Powers and Duties of Council of Basic Education and Council of Higher Education – Adds education and training in trauma-informed approaches to the topics for Council consideration in this section.

FISCAL IMPACT:

Changes to Section 1302-A, Office for Safe Schools will require no less than \$3.2 million for grants to be awarded to IUs on behalf of nonpublic schools, funding which is included in the 2019-20 General Fund budget.

The School Safety and Security Grant Program (Section 1306-B) is projected to have \$60 million available in 2019-20 for the distribution of grants no later than March 1, 2020.

To award grants under the Keystone Telepresence Education Grant Program, PDE must use up to \$300,000 annually of undistributed funds not expended, encumbered or committed from appropriations for grants and subsidies made to the department to award grants. The funds shall be transferred by the Secretary of the Budget to a restricted account as necessary to award grants and, when transferred, are appropriated to carry out the provisions of this article.

The enactment of certain provisions in this legislation, particularly the requirement that school entities have at least one threat assessment team, could have an impact on school entity finances. However, the extent of that impact will vary based upon the circumstances of each school.

The other provisions of this legislation are expected to have a minimal fiscal impact on the Departments and Commissions involved.

PREPARED BY: Jeff Miller
House Appropriations Committee (R)

DATE: June 27, 2019

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.