



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

SENATE BILL NO. 530

PRINTERS NO. 1940

PRIME SPONSOR: Martin

COST / (SAVINGS)

FUND	FY 2020/21	FY 2021/22
General Fund	See Fiscal Impact.	

SUMMARY:

Senate Bill 530 amends the Public School Code concerning students convicted or adjudicated delinquent of sexual assault. It would take effect in 60 days.

ANALYSIS:

Senate Bill 530 adds a new section to the Public School Code concerning students convicted or adjudicated delinquent of sexual assault. It provides that if a student enrolled in a public school entity is convicted or adjudicated delinquent of committing a sexual assault upon another student enrolled in the same public school entity, the public school entity must ensure that the convicted or adjudicated student is not educated in the same school building, transported on the same school vehicle or allowed to participate in the same school-sponsored activities at the same time as the victim. The school entity may expel the convicted or adjudicated student, transfer the student to an alternative education program, or reassign the student to another school or educational program within the public school entity.

The public school entity may not be prohibited from taking action for convictions or adjudications for sexual assaults that occur outside a school setting if the assault was against another student enrolled in the same public school entity; and has the effect of substantially interfering with the victim's education; creating a threatening or hostile educational environment; or substantially disrupting the orderly operation of the school.

A student expelled, transferred or reassigned may return to the student's originally assigned school only if the victim ceases to be enrolled in the public school entity from which the student was expelled, transferred or reassigned; or the conviction or delinquency adjudication on which the expulsion, transfer or reassignment was based is reversed and no appeal is pending.

A student convicted of sexual assault upon another student enrolled in the same public school entity must notify the school of the conviction no later than 72 hours after the conviction. In addition, prior to admission to a public school entity, the parent, guardian or other person having control or charge of a student must, upon registration, provide a sworn statement or

affirmation stating whether the student was previously or is presently expelled for sexual assault.

A public school entity includes a school district, independent school, area career and technical school, intermediate unit, charter school, regional charter school or cyber charter school.

FISCAL IMPACT:

Enactment of this legislation will have no adverse impact on Commonwealth funds.

Enactment could have a minimal impact on public school entities, depending on the number of students convicted or adjudicated delinquent of sexual assault on a victim also enrolled in the same public school entity. If the offender cannot be transferred or reassigned to another building or educational program within the school entity, costs may be incurred providing for an alternative placement. The average cost for an alternative placement for a regular education student at the secondary level is estimated at \$12,400 annually.

PREPARED BY: Jeff Miller
House Appropriations Committee (R)

DATE: October 21, 2020

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