

# SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

**BILL NO.**

Senate Bill 56

**PRINTER'S NO.**

1169

**AMOUNT**

No Adverse Fiscal Impact

**FUND**

General

**DATE INTRODUCED**

Jan. 20, 2009

**PRIME SPONSOR**

Senator Piccola

**HISTORY OF BILL**

Referred to EDUCATION, Jan. 20, 2009

Reported as amended, March 24, 2009

First consideration, March 24, 2009

Re-referred to APPROPRIATIONS, March 30, 2009

Re-reported as amended, June 15, 2009

**DESCRIPTION AND PURPOSE OF BILL**

Senate Bill 56 amends Article XIII-A (Safe Schools) of the Public School Code.

The bill requires the Department of Education to situate the Office of Safe Schools within the department under the supervision of the Deputy Secretary for Elementary and Secondary Education. It requires the office be staffed with department employees and prohibits the department from outsourcing any of the office's operations.

It requires school entities to submit school violence statistics reports to the office no later than July 30 of each year and calls for the office to convene a committee of law enforcement and school personnel no later than 60 days after the effective date of the act to develop a standard for reporting and make recommendations with regard to safe schools training and programs.

The office must biennially verify that each school has executed a memorandum of understanding with local law enforcement and post an annual school safety report on the department's website.

# **SENATE APPROPRIATIONS COMMITTEE**

## **FISCAL NOTE**

The bill establishes new criteria for awarding safe schools grants so that funding is targeted to school entities designated as persistently dangerous under the Federal No Child Left Behind Act.

The bill adds several offenses to the list of incidents a school entity's chief school administrator must annually report to the Office of Safe Schools. The list includes the following crimes: Possession of prohibited weapons; Possession of weapons on school property; Criminal homicide; Aggravated assault; Stalking; Kidnapping; Unlawful restraint; Rape; Sexual assault; Indecent assault; Arson; Vandalism; Burglary; Trespass; Riot; and Disorderly conduct.

New language is added to require all chief school administrators to consult with local law enforcement regarding the content of school violence reports so that discrepancies can be resolved. It mandates that a memorandum of understanding between local law enforcement and a school entity provide: 1) immediate notification to law enforcement of crimes committed on school property; 2) emergency response procedures; and, 3) a process for local law enforcement to review school violence reports.

The measure also provides that school officials who fail initiate a memorandum of understanding, fail to report acts of violence or falsify reports to be subject to prosecution under 18 PACS, Section 4904 (Relating to Unsworn Falsification to Authorities) and to civil penalties imposed by the Professional Standards and Practices Commission, which includes a fine of \$2,500 for the first violation, \$3,500 for the second violation and \$5,000 for the third and subsequent violation.

The legislation is scheduled to take effect in 90 days.

### **FISCAL IMPACT:**

Senate Bill 56 calls for the Department of Education to directly administer the provisions contained in the Safe Schools Act. At present, the Center for Safe Schools administers the provisions of the act under contract with the Department for \$442,000 annually.

Assuming the Department utilizes the funds it now sends to the Center for Safe Schools to administer the act, Senate Bill 56 will have no adverse impact on Commonwealth funds.

# **SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE**

School districts and local law enforcement agencies may experience a minimal increase in administrative costs related to the expanded reporting requirements and the review process.