

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An  
 2 act relating to the public school system, including certain  
 3 provisions applicable as well to private and parochial  
 4 schools; amending, revising, consolidating and changing the  
 5 laws relating thereto," in certification of teachers, further  
 6 providing for program of continuing professional education;  
 7 and, in safe schools, further providing for definitions, for  
 8 reporting and for policy relating to bullying and providing  
 9 for powers and duties of Department of Education.

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

12 Section 1. Section 1205.2 of the act of March 10, 1949  
 13 (P.L.30, No.14), known as the Public School Code of 1949, is  
 14 amended by adding a subsection to read:

15 Section 1205.2. Program of Continuing Professional  
 16 Education.--\* \* \*

17 (a.1) In addition to the continuing education program  
 18 required under subsection (a), each professional educator shall  
 19 complete at least four (4) hours of training focused solely on  
 20 the identification and prevention of, intervention in, and the  
 21 use of the online portal to report harassment, bullying and

1 cyberbullying as such terms are defined in section 1301-A or to  
2 complete the online training and examination programs  
3 established in section 1303.2-A(3) and (4).

4 \* \* \*

5 Section 2. The definition of "school property" in section  
6 1301-A of the act, amended November 17, 2010 (P.L.996, No.104),  
7 is amended and the section is amended by adding definitions to  
8 read:

9 Section 1301-A. Definitions.--As used in this article,  
10 "Bullying" shall mean any written, verbal or physical act or  
11 conduct which may, but shall not be required to, be based on any  
12 actual or perceived characteristic, including, but not limited  
13 to a characteristic related to race; color; religion; national  
14 origin; ancestry; ethnicity; sexual orientation; physical  
15 disability; mental or emotional health; learning disability;  
16 gender; gender identity or expression; socio-economic status or  
17 physical appearance or based on an association with a person who  
18 has or is perceived to have one or more such characteristics  
19 and:

- 20 (1) is directed at a specific student or students;  
21 (2) occurs in a school setting;  
22 (3) is severe, persistent or pervasive; and  
23 (4) has or can be reasonably predicted to have the effect of  
24 one or more of the following:  
25 (i) places a reasonable student in fear of physical harm to  
26 the student's person or property;  
27 (ii) causes a substantially detrimental effect on a  
28 reasonable student's physical or mental health; or  
29 (iii) substantially interferes with a reasonable student's  
30 ability to participate in or benefit from the services,

1 activities or privileges provided by a school.

2 \* \* \*

3 "Cyberbullying" shall mean bullying that occurs through  
4 electronic communication.

5 "Electronic communication" shall mean any form of  
6 communication through an electronic device, including, but not  
7 limited to, a telephone, cellular phone, computer or pager,  
8 which form of communication includes, but is not limited to, e-  
9 mail, instant messaging, text messaging, blogging, paging,  
10 online gaming and communication through an Internet website.

11 "Harassment" shall have the same meaning as defined in 18  
12 Pa.C.S. § 2709 (relating to harassment).

13 \* \* \*

14 "School property" or "school setting" shall mean any public  
15 school grounds, any school-sponsored activity [or], any  
16 conveyance providing transportation to a school entity or  
17 school-sponsored activity or event, or a designated school bus  
18 stop when students are waiting to be picked up by school-  
19 provided transportation or exiting from school-provided  
20 transportation.

21 \* \* \*

22 Section 3. Section 1303-A(b), (b.1), (c) and (e) (2) of the  
23 act, amended November 17, 2010 (P.L.996, No.104) and June 30,  
24 2011 (P.L.112, No.24), are amended to read:

25 Section 1303-A. Reporting.--\* \* \*

26 (b) [Each chief school administrator shall report to the  
27 office by July 31 of each year all new] All incidents involving  
28 acts of violence, possession of a weapon or possession, use or  
29 sale of controlled substances as defined in the act of April 14,  
30 1972 (P.L.233, No.64), known as "The Controlled Substance, Drug,

1 Device and Cosmetic Act," or possession, use or sale of alcohol  
2 or tobacco by any person on school property shall be reported to  
3 the office through the safe schools online portal pursuant to  
4 the procedure set forth in section 1303.2-A. [The incidents to  
5 be reported to the office shall include all incidents involving  
6 conduct that constitutes a criminal offense listed under  
7 paragraphs (4.1) and (4.2). Reports on a form to be developed  
8 and provided by the office shall include] Reports though the  
9 acts of violence online interface within the safe schools online  
10 portal required under section 1303.2-A shall include, at a  
11 minimum, the following information:

12 (1) Age or grade of student.

13 (2) Name and address of school.

14 (3) Circumstances surrounding the incident, including, but  
15 not limited to, type of weapon, controlled substance, alcohol or  
16 tobacco, the date, time and location of the incident, if a  
17 person other than a student is involved in the incident and any  
18 relationship to the school entity.

19 (3.1) Race of student.

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

24 (4) Sanction imposed by the school.

25 (4.1) A list of criminal offenses which shall, at a minimum,  
26 include:

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

29 Section 908 (relating to prohibited offensive weapons).

30 Section 912 (relating to possession of weapon on school

1 property).

2 Chapter 25 (relating to criminal homicide).

3 Section 2702 (relating to aggravated assault).

4 Section 2709.1 (relating to stalking).

5 Section 2901 (relating to kidnapping).

6 Section 2902 (relating to unlawful restraint).

7 Section 3121 (relating to rape).

8 Section 3122.1 (relating to statutory sexual assault).

9 Section 3123 (relating to involuntary deviate sexual

10 intercourse).

11 Section 3124.1 (relating to sexual assault).

12 Section 3124.2 (relating to institutional sexual assault).

13 Section 3125 (relating to aggravated indecent assault).

14 Section 3126 (relating to indecent assault).

15 Section 3301 (relating to arson and related offenses).

16 Section 3307 (relating to institutional vandalism) when the

17 penalty is a felony of the third degree.

18 Section 3502 (relating to burglary).

19 Section 3503(a) and (b)(1)(v) (relating to criminal

20 trespass).

21 Section 5501 (relating to riot).

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

23 (ii) The possession, use or sale of a controlled substance

24 or drug paraphernalia as defined in "The Controlled Substance,

25 Drug, Device and Cosmetic Act."

26 (iii) Attempts, solicitation or conspiracy to commit any of

27 the offenses listed in subclauses (i) and (ii).

28 (iv) An offense for which registration is required under 42

29 Pa.C.S. § 9795.1 (relating to registration).

30 (4.2) The following offenses under 18 Pa.C.S., and any

1 attempt, solicitation or conspiracy to commit any of these  
2 offenses:

3 Section 2701 (relating to simple assault).

4 Section 2705 (relating to recklessly endangering another  
5 person).

6 Section 2706 (relating to terroristic threats).

7 Section 2709 (relating to harassment).

8 Section 3127 (relating to indecent exposure).

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

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

13 Chapter 39 (relating to theft and related offenses).

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

16 Section 5503 (relating to disorderly conduct).

17 Section 6305 (relating to sale of tobacco).

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

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

22 (4.3) If the discipline infraction was a violation of the  
23 policy adopted under section 1303.1-A.

24 (5) Notification of law enforcement.

25 (5.1) Law enforcement response.

26 (6) Remedial programs involved.

27 (7) Parental involvement required.

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

29 (b.1) [Prior to submitting the report required under  
30 subsection (b), each chief school administrator] The chief

1 school administrator shall send an acts of violence online  
2 report from the acts of violence online interface within the  
3 safe schools online portal established pursuant to section  
4 1303.2-A to the police department that has jurisdiction over the  
5 relevant school property on an annual basis. Each chief school  
6 administrator and each police department having jurisdiction  
7 over school property of the school entity shall [do all of the  
8 following] have the following duties:

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

17 (2) No later than [fifteen (15) days prior to the deadline  
18 for the chief school administrator to submit the report required  
19 under subsection (b)] twenty-one (21) days after receiving the  
20 acts of violence report, the police department shall notify the  
21 chief school administrator, in writing, whether the report  
22 accurately reflects police incident data. Where the police  
23 department determines that the report accurately reflects police  
24 incident data, the chief of police shall sign the report. Where  
25 the police department determines that the report does not  
26 accurately reflect police incident data, the police department  
27 shall indicate any discrepancies between the report and police  
28 incident data.

29 (3) [Prior to submitting the report required under  
30 subsection (b), the] The chief school administrator and the

1 police department shall attempt to resolve discrepancies between  
2 the report and police incident data. Where a discrepancy remains  
3 unresolved, the police department shall notify the chief school  
4 administrator and the office in writing.

5 (4) Where a police department fails to take action as  
6 required under paragraph (1), (2) or (3), the chief school  
7 administrator [shall submit the report required under subsection  
8 (b) and indicate that the police department failed to take  
9 action as required under paragraph (2) or (3)] shall indicate  
10 the police department's failure to take action by entering the  
11 information in the acts of violence online interface within the  
12 safe schools online portal pursuant to subsection (b).

13 (c) Each chief school administrator shall form an advisory  
14 committee composed of relevant school staff, including, but not  
15 limited to, principals, security personnel, school resource  
16 officers, guidance counselors and special education  
17 administrators, to assist in the development of a memorandum of  
18 understanding pursuant to this section. In consultation with the  
19 advisory committee, each chief school administrator shall enter  
20 into a memorandum of understanding with police departments  
21 having jurisdiction over school property of the school entity.  
22 Each chief school administrator shall submit a copy of the  
23 memorandum of understanding to the office by June 30, 2011, and  
24 biennially update and re-execute a memorandum of understanding  
25 with local law enforcement and file such memorandum with the  
26 office on a biennial basis. The memorandum of understanding  
27 shall be signed by the chief school administrator, the chief of  
28 police of the police department with jurisdiction over the  
29 relevant school property and principals of each school building  
30 of the school entity. The memorandum of understanding shall



1 comply with the regulations promulgated by the State Board of  
2 Education under section 1302.1-A and shall also include:

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

7 (2) A procedure for the resolution of school violence data  
8 discrepancies in the report [prior to filing the report required  
9 under subsection (b) with the office].

10 (3) Additional matters pertaining to crime prevention agreed  
11 to between the chief school administrator and the police  
12 department.

13 \* \* \*

14 (e) \* \* \*

15 (2) In addition to any other disciplinary actions set forth  
16 in the "Professional Educator Discipline Act," a chief school  
17 administrator or principal of a school entity who intentionally  
18 fails to [submit the report] enter thorough and accurate  
19 information into the acts of violence online interface as  
20 required under subsection (b) or enter into the memorandum of  
21 understanding with the police department with jurisdiction over  
22 the relevant school property, report an incident involving an  
23 act of violence, possession of a weapon or an offense cited  
24 under subsection (b) (4.1) that occurs on school property to a  
25 police department or submit a copy of the memorandum of  
26 understanding to the office as required under subsection (c) or  
27 who intentionally falsifies a report submitted as required under  
28 this section shall be subject to prosecution for violation of 18  
29 Pa.C.S. § 4904 (relating to unsworn falsification to  
30 authorities). The following civil penalties may be imposed by

1 the Professional Standards and Practices Commission for  
2 violations of this article:

3 (i) for a first violation, \$2,500;

4 (ii) for a second violation, \$3,500; or

5 (iii) for a third or subsequent violation, \$5,000.

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

8 Section 4. Section 1303.1-A of the act, added July 9, 2008  
9 (P.L.846, No.61), is amended to read:

10 Section 1303.1-A. Policy Relating to Bullying.--[(a) No  
11 later than January 1, 2009, each school entity shall adopt a  
12 policy or amend its existing policy relating to bullying and  
13 incorporate the policy into the school entity's code of student  
14 conduct required under 22 Pa. Code § 12.3(c) (relating to school  
15 rules). The policy shall delineate disciplinary consequences for  
16 bullying and may provide for prevention, intervention and  
17 education programs, provided that no school entity shall be  
18 required to establish a new policy under this section if one  
19 currently exists and reasonably fulfills the requirements of  
20 this section. The policy shall identify the appropriate school  
21 staff person to receive reports of incidents of alleged  
22 bullying.

23 (b) Each school entity shall make the policy available on  
24 its publicly accessible Internet website, if available, and in  
25 every classroom. Each school entity shall post the policy at a  
26 prominent location within each school building where such  
27 notices are usually posted. Each school entity shall ensure that  
28 the policy and procedures for reporting bullying incidents are  
29 reviewed with students within ninety (90) days after their  
30 adoption and thereafter at least once each school year.

1 (c) Each school entity shall review its policy every three  
2 (3) years and annually provide the office with a copy of its  
3 policy relating to bullying, including information related to  
4 the development and implementation of any bullying prevention,  
5 intervention and education programs. The information required  
6 under this subsection shall be attached to or made part of the  
7 annual report required under section 1303-A(b).

8 (d) In its policy relating to bullying adopted or maintained  
9 under subsection (a), a school entity shall not be prohibited  
10 from defining bullying in such a way as to encompass acts that  
11 occur outside a school setting if those acts meet the  
12 requirements contained in subsection (e)(1), (3) and (4). If a  
13 school entity reports acts of bullying to the office in  
14 accordance with section 1303-A(b), it shall report all incidents  
15 that qualify as bullying under the entity's adopted definition  
16 of that term.

17 (e) For purposes of this article, "bullying" shall mean an  
18 intentional electronic, written, verbal or physical act, or a  
19 series of acts:

- 20 (1) directed at another student or students;
- 21 (2) which occurs in a school setting;
- 22 (3) that is severe, persistent or pervasive; and
- 23 (4) that has the effect of doing any of the following:
  - 24 (i) substantially interfering with a student's education;
  - 25 (ii) creating a threatening environment; or
  - 26 (iii) substantially disrupting the orderly operation of the  
27 school; and

28 "school setting" shall mean in the school, on school grounds,  
29 in school vehicles, at a designated bus stop or at any activity  
30 sponsored, supervised or sanctioned by the school.]

1 (f) No later than July 1, 2016, each school entity shall  
2 adopt the Department of Education's model policy related to  
3 bullying required under section 1303.2-A(5) or an alternative  
4 policy that includes at a minimum the requirements of section  
5 1303.2-A(5) prohibiting harassment, bullying and cyberbullying.  
6 A school entity may comply with this subsection by amending its  
7 existing policy to include, at a minimum, the requirements of  
8 section 1303.2-A(5). The school entity shall involve students,  
9 parents, administrators, school staff, school volunteers and  
10 local law enforcement agencies in the process of adopting an  
11 alternative policy, if it chooses not to implement the  
12 Department of Education's model policy related to bullying.

13 (g) Each school building shall adopt and follow the bullying  
14 policy that has been established by the school entity where the  
15 school building is located.

16 (h) Each school entity shall incorporate its bullying policy  
17 into the school entity's code of student conduct required under  
18 22 Pa. Code § 12.3(c) (relating to school rules). The school  
19 entity's policy shall be implemented in a manner that is ongoing  
20 throughout the school year and integrated with each school  
21 entity's discipline policies and other violence prevention  
22 efforts. Any discipline imposed under the policy must be  
23 consistent with Federal and State law.

24 (i) Students, school staff and volunteers shall engage in no  
25 harassment, bullying or cyber bullying that takes place:

26 (1) in a school setting; or

27 (2) through use of electronic communication, outside a  
28 school setting, that is directed at a student and is so severe,  
29 persistent or pervasive that it substantially interferes with a  
30 student's ability to participate in or benefit from the

1 services, activities or privileges provided by a school.

2 (j) A school employe who promptly reports in good faith an  
3 act of harassment, bullying or cyberbullying to the appropriate  
4 school official designated in the school entity's policy  
5 established under this section and who makes the report in  
6 compliance with the procedures specified in the policy shall be  
7 immune from a cause of action for damages arising out of the  
8 reporting.

9 (k) Nothing in this section shall be construed:

10 (1) to prevent a victim of harassment, bullying or  
11 cyberbullying from seeking redress under any other available  
12 civil or criminal law; or

13 (2) to infringe upon the right of a school employe or  
14 student to engage in speech or expression protected by the  
15 Constitution of the United States or the Constitution of  
16 Pennsylvania.

17 (l) If any provision of this section or the application  
18 thereof to any person or circumstance is held invalid, the  
19 invalidity shall not affect other provisions or applications of  
20 the section which can be given effect without the invalid  
21 provision or application and to this end the provisions of this  
22 section are declared severable.

23 Section 5. The act is amended by adding a section to read:

24 Section 1303.2-A. Powers and Duties of Department of  
25 Education.--The Department of Education shall have the following  
26 powers and duties:

27 (1) By November 1, 2015, establish, develop and maintain a  
28 secure Internet safe schools online portal which shall be  
29 accessible only by employes of the Department of Education and  
30 the professional school employes in each school entity. The

1 portal shall include:

2 (i) A bullying interface for school employes to enter and  
3 track bullying incidents and follow-up. At a minimum, the safe  
4 schools online bullying interface shall include areas to enter  
5 information related to:

6 (A) All complaints related to the specific incident of  
7 harassment, bullying or cyberbullying.

8 (B) Names of each party involved, including the name of the  
9 individual who entered the details of the incident into the  
10 online portal.

11 (C) Complete and accurate information regarding the  
12 investigation, including the name of the individual responsible  
13 for the investigation.

14 (D) Complete and accurate information regarding the  
15 resolution of the complaint.

16 (ii) An acts of violence interface to enter and track all  
17 incidents involving acts of violence, possession of a weapon or  
18 possession, use or sale of controlled substances as defined in  
19 section 2 of the act of April 14, 1972 (P.L.233, No.64), known  
20 as "The Controlled Substance, Drug, Device and Cosmetic Act," or  
21 possession, use or sale of alcohol or tobacco by any person on  
22 school property. At a minimum, the acts of violence interface  
23 shall include all information required under section 1303-A. At  
24 the discretion of the Department of Education, the acts of  
25 violence interface may be integrated with the bullying interface  
26 established under subparagraph (i) to create a single interface  
27 for entering all required information for an act of violence or  
28 a case of bullying.

29 (iii) Automatic, periodic generation of appropriate bullying  
30 reports only for the individuals listed below in the following

1 intervals:

2 (A) Each school principal, monthly.

3 (B) Each chief school administrator, quarterly.

4 (C) The Secretary of Education, annually.

5 (D) The General Assembly, annually.

6 (iv) Automatic, periodic generation of appropriate acts of  
7 violence reports for the individuals listed below in the  
8 following intervals:

9 (A) Each school principal, monthly.

10 (B) Each chief school administrator, quarterly.

11 (C) The Secretary of Education, annually.

12 (D) The General Assembly, annually.

13 (v) Automatic e-mailing of bullying and acts of violence  
14 reports to the individuals and in the intervals specified in  
15 subparagraphs (iii) and (iv).

16 (vi) Automatic e-mailing of bullying incident deadline  
17 reminders to individuals responsible for the investigation.

18 (vii) The online training and examination programs  
19 established in paragraphs (3) and (4).

20 (2) Ensure all of the following:

21 (i) All reports produced for the chief school administrator,  
22 the Secretary of Education and the General Assembly do not  
23 include the names or other identifying information of the  
24 students involved in bullying incidents, the individuals who  
25 reported the incidents or the individuals who entered the  
26 incident data into the online portal.

27 (ii) No option for the production of custom queries or  
28 reports include any individually identifiable information.

29 (iii) No option for any user to search for incident data by  
30 the name of any party involved in the incident.

1 (iv) No means for any user to access the raw data within the  
2 online portal.

3 (v) Automatic deletion of all student-identifiable data no  
4 later than thirty (30) days after resolution of the complaint.

5 (3) By November 1, 2015, develop an online training program  
6 to fulfill the continuing education requirement on prevention  
7 of, and intervention in, harassment, bullying and cyberbullying  
8 established under section 1205.2(a.1).

9 (4) By November 1, 2015, develop an online examination  
10 program to fulfill the continuing education requirement on  
11 prevention of, and intervention in, harassment, bullying and  
12 cyberbullying established under section 1205.2(a.1).

13 (5) No later than January 1, 2016, develop and establish a  
14 model policy related to bullying. The policy shall contain, at a  
15 minimum, the following:

16 (i) A statement prohibiting harassment, bullying and  
17 cyberbullying of a student and explaining the scope of the  
18 prohibition, including a statement that the policy applies to  
19 school sponsored functions.

20 (ii) The definitions of "bullying," "cyberbullying" and  
21 "harassment" as stated in section 1301-A.

22 (iii) Consequences and appropriate remedial action,  
23 including positive behavior support as defined in 22 Pa. Code §  
24 14.133 (relating to positive behavior support), for a person who  
25 commits an act of harassment, bullying or cyberbullying.  
26 Disciplinary consequences for harassment, bullying and  
27 cyberbullying shall be unique to the individual incident and  
28 vary in severity based on the nature of the incident, the  
29 developmental age of the perpetrator and the perpetrator's  
30 history of problem behaviors.



1 (iv) A procedure for students, school employes and school  
2 administrators to report an act of harassment, bullying or  
3 cyberbullying. The procedure shall include the following:

4 (A) A person, other than a school employe, may report an act  
5 of harassment, bullying or cyberbullying anonymously to a school  
6 employe, provided that no formal disciplinary action is taken  
7 solely on the basis of an anonymous report.

8 (B) All acts of harassment, bullying or cyberbullying shall  
9 be entered into the safe schools online portal established under  
10 section 1303.2-A(4) within forty-eight (48) hours of when the  
11 school employe witnessed or received reliable information that a  
12 student had been subject to harassment, bullying or  
13 cyberbullying.

14 (C) No later than forty-eight (48) hours after notice of an  
15 alleged incident, the principal or principal's designee shall  
16 inform the parents or guardians of all students involved in the  
17 alleged incident. Prior to notification of any parent, guardian  
18 or student regarding any incident of harassment, bullying or  
19 cyberbullying, the principal or principal's designee shall  
20 consider the age, health, well-being, safety and privacy of any  
21 student involved in the incident. The principal or principal's  
22 designee may discuss, as appropriate, the availability of  
23 counseling and other intervention or protective services.

24 (v) A procedure for prompt investigation of reports of  
25 violations and complaints, which procedure shall, at a minimum,  
26 provide that:

27 (A) The investigation shall be conducted by the principal or  
28 the principal's designee.

29 (B) The investigation shall be completed as soon as  
30 possible, but no later than twenty-one (21) days from the date

1 the report is entered into the safe schools online portal.

2 (C) The results of any such investigation shall be reported  
3 to the principal, if not directly involved in the investigation,  
4 and chief school administrator. The principal or chief school  
5 administrator shall decide whether to provide intervention  
6 services, establish or enhance training programs to reduce  
7 harassment, bullying or cyberbullying and improve school  
8 climate, impose discipline, order counseling or take or  
9 recommend other appropriate action based on the findings of the  
10 investigation.

11 (D) The safe schools online portal shall be updated and  
12 finalized with complete and accurate information regarding the  
13 incident by the principal or designee in charge of the  
14 investigation within forty-eight (48) hours after the  
15 investigation has ended.

16 (E) Upon request, students who are parties to the  
17 investigation shall receive information about the investigation,  
18 subject to Federal and State law and regulation, including the  
19 nature of the investigation, whether the school entity found  
20 evidence of harassment, bullying or cyberbullying and whether  
21 discipline was imposed or services provided to address the  
22 incident of harassment, bullying or cyberbullying. This  
23 information shall be provided in writing within five (5) days of  
24 the request.

25 (F) Any party that is dissatisfied with the outcome of an  
26 investigation and subsequent action taken may appeal to the  
27 governing body of the school entity within thirty (30) days  
28 after the issuance of the written report.

29 (vi) A statement that prohibits retaliation against any  
30 person who reports an act of harassment, bullying or

1 cyberbullying, including a witness or a person with reliable  
2 information about such an act, and the consequence and  
3 appropriate remedial action for a person who engages in  
4 retaliation.

5 (vii) A statement of the manner in which the policy is to be  
6 publicized. The statement shall include:

7 (A) A requirement that a link to the policy shall be  
8 prominently posted on the school entity's publicly accessible  
9 Internet website and that each school entity shall post the  
10 policy at a prominent location within each school building where  
11 such notices are usually posted or in each classroom.

12 (B) A requirement that the name, school telephone number,  
13 school address and school e-mail address of the principal or  
14 designee responsible for investigating harassment, bullying and  
15 cyberbullying shall be prominently listed on the school entity's  
16 publicly accessible Internet website.

17 (C) A requirement that the policy shall be distributed  
18 annually to students and their parents. The policy may be  
19 included in a student Code of Conduct and Family Educational  
20 Rights and Privacy Act statement under the Family Educational  
21 Rights and Privacy Act of 1974 (Public Law 90-247, 20 U.S.C. §  
22 1232g).

23 (D) A statement that the school entity shall ensure that the  
24 policy and procedures for reporting bullying are reviewed with  
25 students within ninety (90) days after their adoption and  
26 thereafter at least once per school year.

27 (viii) A statement that the school entity shall review its  
28 policy every three (3) years and annually provide the Department  
29 of Education with a copy of its policy prohibiting harassment,  
30 bullying and cyberbullying if it uses an alternate policy

1 instead of the Department of Education's model policy.

2 (ix) Provisions for the formation of bullying prevention  
3 task forces, programs, associated trainings and other  
4 initiatives involving school staff, pupils, administrators,  
5 volunteers, parents, law enforcement, community members and  
6 other stakeholders, as deemed appropriate by the school entity.

7 (x) Annual training for administrators, school employes and  
8 volunteers who have significant contact with students in  
9 preventing, identifying, responding to and reporting incidents  
10 of harassment, bullying or cyberbullying. School entities may  
11 incorporate training into existing annual training sessions or  
12 seminars related to other school matters.

13 (6) By January 1, 2016, compile and make available to all  
14 school entities a list of programs appropriate for the  
15 prevention of harassment, bullying or cyberbullying of students,  
16 including programs that are available to school entities for  
17 free or at reduced costs.

18 (7) Periodically review school entity policies, programs,  
19 activities and services to determine whether the school entities  
20 are complying with this section and section 1303.1-A.

21 Section 6. Any regulations of the Department of Education  
22 that are inconsistent with this act are hereby abrogated to the  
23 extent of the inconsistency.

24 Section 7. This act shall take effect in 60 days.