

2018D09385DMS:CMD

No. \_\_\_\_\_

**LEGISLATIVE REFERENCE BUREAU**

**AN ACT**

Amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in safe schools, providing for school safety requirements; and, in terms and courses of study, further providing for fire and emergency evacuation drills.

**INTRODUCED** \_\_\_\_\_ **20** \_\_\_\_\_

**By** \_\_\_\_\_ **District NO.** \_\_\_\_\_

**By** \_\_\_\_\_ **District NO.** \_\_\_\_\_

**By** \_\_\_\_\_ **District NO.** \_\_\_\_\_

**By** \_\_\_\_\_ **District NO.** \_\_\_\_\_

**See next page for additional co-sponsors.**

**Prior Session** \_\_\_\_\_

<b>Referred to Committee on</b>	
<b>Date</b> _____	<b>20</b> _____
<b>Reported</b> _____	<b>20</b> _____
<b>As Committed-Amended</b>	
<b>Recommendation</b>	
_____	
<b>By Hon.</b> _____	



## 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 safe schools, providing for school  
6 safety requirements; and, in terms and courses of study,  
7 further providing for fire and emergency evacuation drills.

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

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

13 Section 1302.2-A. School Safety Requirements.--(a) Each  
14 school entity shall be subject to an annual safety assessment  
15 audit that reviews the school entity's school safety plan to  
16 determine compliance with the requirements of this section. The  
17 safety assessment audit shall be conducted by police officers  
18 with a certification in physical security training from the  
19 Department of Homeland Security.

20 (b) Each school entity shall have a school safety plan that

1 may be districtwide or school-specific but shall, at a minimum,  
2 detail the following:

3 (1) Age-appropriate programs and plans for violence  
4 prevention, crisis intervention, emergency response and  
5 management.

6 (2) Communication strategies during emergencies within the  
7 school and with parents, law enforcement and other emergency  
8 responders.

9 (3) Detailed information regarding drill requirements,  
10 emergency plans, building security and related infrastructure,  
11 as well as the memorandum of understanding described in section  
12 1302-A(b)(6) and the disaster response and emergency  
13 preparedness plan as required by 35 Pa.C.S. § 7701(g) (relating  
14 to duties concerning disaster prevention).

15 (4) Specific information regarding the establishment and  
16 maintenance of a threat assessment team, as determined by the  
17 school entity.

18 (c) Each school entity shall establish and develop policies  
19 for a threat assessment team that may service one or more  
20 schools as determined by the school entity. A threat assessment  
21 team:

22 (1) Shall include, at a minimum, individuals with experience  
23 in counseling, instruction and school administration, and may  
24 include other personnel as deemed necessary as long as student  
25 privacy rights are maintained.

26 (2) Shall assess a student whose behavior or comments  
27 suggest that the student may pose a threat to the safety of the  
28 student, other students, faculty or staff based on information  
29 that the school was made aware or legally obtained.

30 (3) Shall notify the chief school administrator of the

1 threat assessment team's determination.

2 (d) The chief school administrator shall notify the parents  
3 or guardians of the student when the threat assessment team has  
4 determined that the student may pose a threat to the safety of  
5 the student, other students, faculty or staff and may refer the  
6 matter to law enforcement.

7 (e) A student who may pose a threat to the safety of the  
8 student, other students, faculty or staff who has a current  
9 individualized education program or qualified 504 plan shall be  
10 scheduled for an individualized education program or 504 meeting  
11 to consider additional support services.

12 (f) A threat assessment team shall:

13 (1) Meet regularly as determined to be necessary by the  
14 chief school administrator in order to assess the progress of a  
15 student who the threat assessment team has determined may pose a  
16 threat to the safety of the student, other students, faculty or  
17 staff until the determination is no longer substantiated to the  
18 best of the information available to the threat assessment team.

19 (2) When appropriate, provide guidance to students, faculty  
20 and staff regarding recognition of threatening or aberrant  
21 behavior that may represent a threat to the students, faculty or  
22 staff.

23 (g) Nothing in this section shall be construed to preclude  
24 school personnel from acting immediately to address an imminent  
25 threat.

26 (h) No member of a threat assessment team may disclose  
27 student information protected or privileged by law to anyone  
28 otherwise not entitled to the information.

29 (i) Each school entity shall submit in an annual report to  
30 the office the following:

1 (1) The number of threat assessment team meetings.

2 (2) The number of students the threat assessment team has  
3 determined may pose a threat to the students, other students,  
4 faculty or staff.

5 (3) The race and gender of students the threat assessment  
6 team has determined may pose a threat to the students, other  
7 students, faculty or staff.

8 (4) Certification that the safety assessment audit was  
9 completed.

10 (j) Each school entity shall provide the Pennsylvania State  
11 Police or municipal police department that has jurisdiction over  
12 the school entity with current blueprints for each building of  
13 the school entity and provide updated blueprints as changes are  
14 made to the building layout.

15 (k) Any chief school administrator or member of the faculty  
16 or staff of a school entity who in good faith act or omits to  
17 act in furtherance of a power authorized or duty imposed under  
18 this section shall not be liable for any civil damages as a  
19 result of such act or omission, except for any act or omission  
20 intentionally designed to harm or any grossly negligent act or  
21 omission that results in harm to a student or member of the  
22 faculty or staff.

23 (l) As used in this section:

24 "Chief school administrator" shall mean a superintendent of a  
25 public school district, superintendent of an area vocational-  
26 technical school, executive director of an intermediate unit,  
27 chief executive officer of a charter school or cyber charter  
28 school or an administrative designee of a nonpublic school or  
29 private school.

30 "Safety assessment audit" shall mean an annual review of a

1 school entity safety plan conducted by police officers with a  
2 certification in physical security training from the Department  
3 of Homeland Security.

4 "School entity" shall mean a public school district, joint  
5 school district, charter school, cyber charter school, private  
6 school, nonpublic school, intermediate unit or area vocational-  
7 technical school operating within this Commonwealth.

8 Section 2. Section 1517(a.1) of the act, amended November 6,  
9 2017 (P.L.1142, No.55), is amended to read:

10 Section 1517. Fire and Emergency Evacuation Drills.--\* \* \*

11 (a.1) [Within ninety (90) days of the commencement of the  
12 school year after the effective date of this subsection and  
13 within ninety (90) days of the commencement of each school year  
14 thereafter, each] Each school entity [may] shall conduct [one]  
15 two school security [drill] drills per school year in each  
16 school building, which may be in place of [a fire drill] the  
17 fire drills required under subsection (a). All of the following  
18 shall apply:

19 (1) The school security [drill may] drills shall be  
20 conducted while the school entity is in session and students are  
21 present under policies adopted by the chief school  
22 administrator.

23 (2) The chief school administrator or a designee shall  
24 oversee the instruction and training of students and school  
25 employees in the procedures to be used in the school security  
26 [drill] drills.

27 (3) The chief school administrator shall notify and request  
28 assistance from the local law enforcement agency and emergency  
29 management agency before conducting the school security [drill]  
30 drills.

1 (4) The chief school administrator shall provide notice of  
2 the school security [drill] drills in advance to parents and  
3 legal guardians of the students attending the school building  
4 for which the school security [drill is] drills are scheduled.

5 \* \* \*

6 Section 3. The amendment of section 1517(a.1) of the act  
7 shall apply to school years that begin after the effective date  
8 of this section.

9 Section 4. This act shall take effect in 60 days.