



pennsylvania
DEPARTMENT OF EDUCATION

Testimony
House Education Committee
Public Hearing on HB2464
Pennsylvania Department of Education
October 10, 2012

Chairman Clymer, Chairman Roebuck and esteemed members of the House Education Committee, thank you for the opportunity for the PA Department of Education (PDE) to comment on House Bill 2464. PDE will address various elements of the bill and provide the Department's perspective on them.

First, PDE believes that safe and secure classrooms are critical to a quality education. When a student feels threatened, frightened or anxious, that student will not thrive. PDE has worked and continues to work to promote policies that create and maintain a positive learning environment for every child. The Department provides resources and guidance to students and administrators on a range of issues, from the Student Assistance Program that helps students cope with mental health or drug problems to training sessions for school personnel on issues like bullying prevention. We track safety data from our public schools to provide parents, legislators and educators with a transparent monitor of school violence. We continually work to improve our data collection methods in order to ensure the reports from our school districts better reflect realities on the ground.

Through the Office of Safe Schools, the Department has been and will continue to make concerted efforts to ensure that anti-bullying prevention and intervention programs are adopted and implemented in a manner that is ongoing throughout the school year and integrated with the school's curriculum, discipline policies and other violence prevention efforts. The Department supports the requirement that every school entity should involve students, parents, administrators, school staff, school volunteers, community representatives and local law enforcement agencies in the process of adopting any policy.

Also, the Department is currently in the process of developing the Pennsylvania Bullying Prevention Support Plan, which examines key state partners' bullying prevention contributions, along with the supports needed by the schools to maintain safe and secure learning environments. The support plan will include recommendations to move collaborative bullying prevention efforts forward in the commonwealth.

While the department supports the broad goals of HB 2464, there are some sections that might be further amended to reduce duplication, ease the burden on school districts and the department, and provide clarification while still providing a safe environment for students.

First, the ability to correctly identify bullying is important and leads to proper intervention in order to stop bullying behavior. However, the requirement for an educational program for students and parents in preventing, identifying, responding to and reporting incidents of harassment, intimidation, bullying or cyber-bullying could add unintended costs to school districts. The department also has a limited staff and funds to provide additional support in these areas. The Department is already providing training opportunities on such successful programs as the Olweus Bullying Prevention Program but there is limited capacity to expand these activities without additional staff and funds. Finally, the Department believes additional language is needed to clarify the definition of an "educational program," as either one that the department approves, that USDE approves or the local board of directors approve.

The bill places numerous oversight requirements on PDE. The department would need additional staff and funds to adequately perform the added enforcement duties. These added duties include review of a school entity's programs, activities and services; compiling a detailed list of appropriate programs, the establishment and maintenance of a central repository for collection and analysis of information regarding harassment, intimidation, bullying or cyber-bullying and the submission of an additional annual report to the General Assembly. That report is to include current levels and nature of harassment, intimidation and bullying in the schools and the effectiveness of school policies under this statute in combating harassment, intimidation, bullying or cyberbullying, including recommendations for appropriate actions to address identified problems. In order to accurately assess the levels and nature of bullying, harassment, intimidation, or cyber-bullying and to determine effectiveness of school policies assessment tools would need to be developed by experts in the field in order to provide a meaningful analysis.

Also, the Department notes that the legislation contains a new requirement that gives the State Board of Education approval authority of the distribution of Safe Schools Funds to a school district based on the board's certification of the school entity's policy which must be submitted to the Board and be in substantial conformity with the "Board's" model policy. This sets a new precedence for school entities, the State Board of Education and the Department. It would require each school entity to submit one of their policies to the State Board of Education for review and approval. Then based on the Board's review the school entity would be either eligible or not eligible for Safe School Funds. This would be the first time that the State Board of Education would be directly involved in the distribution of school funding. The Board does not have the staff or the expertise to conduct the collection, review and approval of the approximately 832 school entities' policies. The Department is concerned that providing safe school funds could be denied due to the failure to have an adequate policy when those funds could assist a school entity in keeping their students in a safe and secure learning environment. This expansion of the responsibility for the State Board of Education given the limited staff at the State Board is cause for concern.

In addition to the above issues for consideration, there are some other potential technical changes with the bill that the Department could provide the committee should this bill move forward. Also, some requirements listed in this bill may be duplicative with other provisions of the School Code. PDE looks forward to working with the bill's sponsor to address some of these issues and to develop final language that protects students from this very serious matter.

In closing, PDE would like to emphasize the Department is prepared to assist the legislative efforts on this important issue. We, as educational leaders, can and must do more to support the building of a strong and efficient support system that will benefit our students, their families and their local community. Thank you again for this opportunity to provide these comments on this legislation.