
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1308 Session of
2019

INTRODUCED BY MURT, ROEBUCK, FRANKEL, MARKOSEK, ROZZI,
SCHLOSSBERG, FREEMAN, McCLINTON, READSHAW AND HILL-EVANS,
APRIL 25, 2019

REFERRED TO COMMITTEE ON EDUCATION, APRIL 25, 2019

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 the 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 is amended and the section is amended by
7 adding definitions to read:

8 Section 1301-A. Definitions.--As used in this article,

9 "Bullying" shall mean any written, verbal or physical act or
10 conduct which may be based on an actual or perceived
11 characteristic, including a characteristic related to race,
12 color, religion, national origin, ancestry, ethnicity, sexual
13 orientation, physical disability, mental or emotional health,
14 learning disability, gender, gender identity or expression,
15 socioeconomic status or physical appearance or based on an
16 association with a person who has or is perceived to have one or
17 more characteristics and:

18 (1) is directed at a specific student or students;

19 (2) occurs in a school setting;

20 (3) is severe, persistent or pervasive; and

21 (4) has or can be reasonably predicted to have the effect of
22 one or more of the following:

23 (i) placing a reasonable student in fear of physical harm to
24 the student's person or property;

25 (ii) causing a substantially detrimental effect on a
26 reasonable student's physical or mental health; or

27 (iii) substantially interfering with a student's ability to
28 participate in or benefit from the services, activities or
29 privileges provided by a school.

30 * * *

1 "Cyberbullying" shall mean bullying that occurs through
2 electronic communication.

3 "Electronic communication" shall mean the following:

4 (1) A form of communication through an electronic
5 device, including:

- 6 (i) a telephone;
- 7 (ii) a cellular phone;
- 8 (iii) a computer; or
- 9 (iv) a pager.

10 (2) The term includes e-mail, instant messaging, text
11 messaging, blogging, paging, online gaming and communication
12 through an Internet website.

13 "Harassment" shall have the same meaning as defined under 18
14 Pa.C.S. § 2709 (relating to harassment).

15 * * *

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

23 * * *

24 Section 3. Sections 1303-A(b), (b.1), (c) and (e)(2) and
25 1303.1-A of the act are amended to read:

26 Section 1303-A. Reporting.--* * *

27 (b) [Each chief school administrator shall report to the
28 office by July 31 of each year all new] All incidents involving
29 acts of violence, possession of a weapon or possession, use or
30 sale of controlled substances as defined in the act of April 14,

1 1972 (P.L.233, No.64), known as "The Controlled Substance, Drug,
2 Device and Cosmetic Act," or possession, use or sale of alcohol
3 or tobacco by any person on school property[. The incidents to
4 be reported to the office shall include all incidents involving
5 conduct that constitutes a criminal offense listed under
6 paragraphs (4.1) and (4.2). Reports on a form to be developed
7 and provided by the office shall include:] shall be reported to
8 the office through the safe schools online portal pursuant to
9 the procedure set forth in section 1303.2-A. Reports through the
10 acts-of-violence online interface within the safe schools online
11 portal required under section 1303.2-A shall include, at a
12 minimum, the following information:

13 (1) Age or grade of student.

14 (2) Name and address of school.

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

20 (3.1) Race of student.

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

25 (4) Sanction imposed by the school.

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

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

30 Section 908 (relating to prohibited offensive weapons).

1 Section 912 (relating to possession of weapon on school
2 property).

3 Chapter 25 (relating to criminal homicide).

4 Section 2702 (relating to aggravated assault).

5 Section 2709.1 (relating to stalking).

6 Section 2901 (relating to kidnapping).

7 Section 2902 (relating to unlawful restraint).

8 Section 3121 (relating to rape).

9 Section 3122.1 (relating to statutory sexual assault).

10 Section 3123 (relating to involuntary deviate sexual
11 intercourse).

12 Section 3124.1 (relating to sexual assault).

13 Section 3124.2 (relating to institutional sexual assault).

14 Section 3125 (relating to aggravated indecent assault).

15 Section 3126 (relating to indecent assault).

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

17 Section 3307 (relating to institutional vandalism) when the
18 penalty is a felony of the third degree.

19 Section 3502 (relating to burglary).

20 Section 3503(a) and (b) (1) (v) (relating to criminal
21 trespass).

22 Section 5501 (relating to riot).

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

24 (ii) The possession, use or sale of a controlled substance
25 or drug paraphernalia as defined in "The Controlled Substance,
26 Drug, Device and Cosmetic Act."

27 (iii) Attempts, solicitation or conspiracy to commit any of
28 the offenses listed in subclauses (i) and (ii).

29 (iv) An offense for which registration is required under 42
30 Pa.C.S. § 9795.1 (relating to registration).

1 (4.2) The following offenses under 18 Pa.C.S., and any
2 attempt, solicitation or conspiracy to commit any of these
3 offenses:

4 Section 2701 (relating to simple assault).

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

7 Section 2706 (relating to terroristic threats).

8 Section 2709 (relating to harassment).

9 Section 3127 (relating to indecent exposure).

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

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

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

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

17 Section 5503 (relating to disorderly conduct).

18 Section 6305 (relating to sale of tobacco).

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

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

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

25 (5) Notification of law enforcement.

26 (5.1) Law enforcement response.

27 (6) Remedial programs involved.

28 (7) Parental involvement required.

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

30 (b.1) [Prior to submitting the report required under

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

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

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

30 (3) [Prior to submitting the report required under

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

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

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

1 of the school entity. The memorandum of understanding shall
2 comply with the regulations promulgated by the State Board of
3 Education under section 1302.1-A and shall also include:

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

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

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

14 * * *

15 (e) * * *

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

1 authorities). The following civil penalties may be imposed by
2 the Professional Standards and Practices Commission for
3 violations of this article:

- 4 (i) for a first violation, \$2,500;
- 5 (ii) for a second violation, \$3,500; or
- 6 (iii) for a third or subsequent violation, \$5,000.

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

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

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

30 (c) Each school entity shall review its policy every three

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

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

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

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

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

30 (f) No later than July 1, 2020, each school entity shall

1 adopt the Department of Education's model policy related to
2 bullying required under section 1303.2-A(5) or an alternative
3 policy that includes, at a minimum, the requirements of section
4 1303.2-A(5) prohibiting harassment, bullying and cyberbullying.
5 A school entity may comply with this subsection by amending the
6 school entity's existing policy to include, at a minimum, the
7 requirements of section 1303.2-A(5). The school entity shall
8 involve students, parents, guardians, administrators, school
9 staff, school volunteers and local law enforcement agencies in
10 the process of adopting an alternative policy if the school
11 entity chooses not to implement the Department of Education's
12 model policy related to bullying.

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

16 (h) Each school entity shall incorporate a 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. Discipline imposed under the policy must be consistent
23 with Federal and State law.

24 (i) Students, school staff and volunteers shall not engage
25 in harassment, bullying or cyberbullying that takes place:

26 (1) in a school setting; or

27 (2) through use of electronic communication outside a school
28 setting that is directed at a student, and is so severe,
29 persistent or pervasive that the harassment, bullying or
30 cyberbullying substantially interferes with a student's ability

1 to participate in or benefit from the services, activities or
2 privileges provided by a school.

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

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

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

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

18 (l) If a provision of this section or the application of the
19 provision to a person or circumstance is held invalid, the
20 invalidity may not affect other provisions or applications of
21 the section unless the invalid provision or application is
22 declared severable.

23 Section 4. 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, 2019, 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 online interface for school employes to enter
3 and track harassment, bullying or cyberbullying incidents and
4 followup. At a minimum, the safe schools bullying online
5 interface shall include areas to enter 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 online interface to enter and track
17 all incidents involving acts of violence, possession of a weapon
18 or possession, use or sale of controlled substances as defined
19 in section 2 of the act of April 14, 1972 (P.L.233, No.64),
20 known as "The Controlled Substance, Drug, Device and Cosmetic
21 Act," or possession, use or sale of alcohol or tobacco by a
22 person on school property. At a minimum, the acts-of-violence
23 online interface shall include all information required under
24 section 1303-A. At the discretion of the Department of
25 Education, the acts-of-violence online interface may be
26 integrated with the bullying online interface established under
27 subparagraph (i) to create a single interface for entering all
28 required information for an act of violence or a case of
29 harassment, bullying or cyberbullying.

30 (iii) Automatic, periodic generation of appropriate bullying

1 reports only for the individuals listed below in the following
2 intervals:

3 (A) Each school principal, monthly.

4 (B) Each chief school administrator, quarterly.

5 (C) The Secretary of Education, annually.

6 (D) The General Assembly, annually.

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

10 (A) Each school principal, monthly.

11 (B) Each chief school administrator, quarterly.

12 (C) The Secretary of Education, annually.

13 (D) The General Assembly, annually.

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

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

19 (vii) The online training program and online examination
20 program established under paragraphs (3) and (4).

21 (2) Ensure all of the following:

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

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

30 (iii) No option for a user to search for incident data by

1 the name of a party involved in the incident.

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

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

6 (3) By November 1, 2019, develop an online training program
7 to fulfill the continuing education requirement on prevention
8 of, and intervention in, harassment, bullying and cyberbullying
9 established under section 1205.2(a.1).

10 (4) By November 1, 2019, develop an online examination
11 program to fulfill the continuing education requirement on
12 prevention of, and intervention in, harassment, bullying and
13 cyberbullying established under section 1205.2(a.1).

14 (5) No later than January 1, 2020, develop and establish a
15 model policy related to bullying. The policy shall contain, at a
16 minimum, the following:

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

21 (ii) The definitions of "bullying," "cyberbullying" and
22 "harassment" under section 1301-A.

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

1 history of problem behaviors.

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

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

9 (B) All acts of harassment, bullying or cyberbullying shall
10 be entered into the safe schools online portal established under
11 section 1303.2-A(1) within forty-eight (48) hours of when the
12 school employe witnessed or received reliable information that a
13 student had been subject to harassment, bullying or
14 cyberbullying.

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

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

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

30 (B) The investigation shall be completed as soon as

1 possible, but no later than twenty-one (21) days from the date
2 the report is entered into the safe schools online portal.

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

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

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

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

30 (vi) A statement that prohibits retaliation against a person

1 who reports an act of harassment, bullying or cyberbullying,
2 including a witness or a person with reliable information about
3 the act, and the consequence and appropriate remedial action for
4 a person who engages in 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 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 principal's designee responsible for investigating harassment,
15 bullying and cyberbullying shall be prominently listed on the
16 school entity's publicly accessible Internet website.

17 (C) A requirement that the policy shall be distributed
18 annually to students, parents and guardians. 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 harassment, bullying and
25 cyberbullying are reviewed with students within ninety (90) days
26 after the adoption of the policy and procedures for reporting
27 harassment, bullying and cyberbullying and at least once every
28 school year.

29 (viii) A statement that the school entity shall review its
30 policy every three (3) years and annually provide the Department

1 of Education with a copy of the policy prohibiting harassment,
2 bullying and cyberbullying if the school entity uses an
3 alternate policy instead of the Department of Education's model
4 policy.

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

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

16 (6) By January 1, 2020, compile and make available to all
17 school entities a list of programs appropriate for the
18 prevention of harassment, bullying or cyberbullying of students,
19 including programs that are available to school entities for
20 free or at reduced costs.

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

24 Section 5. Any regulations of the Department of Education
25 that are inconsistent with this act are hereby abrogated to the
26 extent of the inconsistency.

27 Section 6. This act shall take effect in 60 days.