

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 200 Session of 2019

INTRODUCED BY HUGHES, BROWNE, LANGERHOLC, STREET, COSTA, TARTAGLIONE, LEACH, KEARNEY, YUDICHAK, DINNIMAN, MENSCH, BLAKE, BREWSTER, MUTH, FONTANA, L. WILLIAMS AND HAYWOOD, MAY 28, 2019

REFERRED TO EDUCATION, MAY 28, 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 preliminary provisions, further
 6 providing for definitions; in school directors, further
 7 providing for school director training programs; in
 8 certification of teachers, further providing for continuing
 9 professional development, providing for trauma-informed
 10 education and further providing for postbaccalaureate
 11 certification and for Pennsylvania School Leadership
 12 Standards; in school safety and security, further providing
 13 for definitions, for School Safety and Security Committee,
 14 for school safety and security coordinator and for school
 15 safety and security training and providing for trauma-
 16 informed approach; in early learning programs, further
 17 providing for duties of department; and, in the State Board
 18 of Education, further providing for powers and duties of the
 19 board and for powers and duties of Council of Basic Education
 20 and Council of Higher Education.

21 The General Assembly of the Commonwealth of Pennsylvania
 22 hereby enacts as follows:

23 Section 1. Section 102 of the act of March 10, 1949 (P.L.30,
 24 No.14), known as the Public School Code of 1949, is amended by
 25 adding definitions to read:

26 Section 102. Definitions.--When used in this act the

1 following words and phrases shall have the following meanings:

2 * * *

3 "Trauma." Includes results from an event, series of events
4 or set of circumstances that is experienced by an individual as
5 physically or emotionally harmful or threatening and that has
6 lasting adverse effects on the individual's cognitive
7 functioning and physical, social, emotional, mental or spiritual
8 well-being.

9 "Trauma-informed approach." Includes a schoolwide approach
10 to education and a classroom-based approach to student learning
11 that recognizes the signs and symptoms of trauma in students,
12 families and staff and responds by fully integrating knowledge
13 about trauma into policies, professional learning, procedures
14 and practices for the purposes of recognizing the presence and
15 onset of trauma, resisting the reoccurrence of trauma and
16 promoting resiliency tailored to a school entity's culture,
17 climate and demographics and the community as a whole.

18 * * *

19 Section 2. Section 328(a)(1) and (2) and (b)(1) and (2) of
20 the act are amended to read:

21 Section 328. School Director Training Programs.--(a)
22 Beginning in the 2018-2019 school year and in each school year
23 thereafter, the following shall apply:

24 (1) Each newly elected or appointed school director shall
25 complete, during the first year of the school director's first
26 term, a training program made available by the Department of
27 Education, in consultation with a Statewide organization
28 representing school directors and a Statewide organization
29 representing school business officials, pertaining to the skills
30 and knowledge necessary to serve as a school director. The

1 training program shall consist of a minimum of [four (4)] five
2 (5) hours of instruction, including, at a minimum, information
3 regarding the following:

4 (i) Instruction and academic programs.

5 (i.1) Best practices related to trauma-informed approaches,
6 which shall comprise a minimum of one (1) hour of instruction.

7 (ii) Personnel.

8 (iii) Fiscal management.

9 (iv) Operations.

10 (v) Governance.

11 (vi) Ethics and open meetings, to include the requirements
12 under 65 Pa.C.S. Pt. II (relating to accountability).

13 (2) Within one (1) year after each reelection or
14 reappointment to the board of school directors, each school
15 director shall complete an advanced training program made
16 available by the Department of Education in consultation with a
17 Statewide organization representing school directors and a
18 Statewide organization representing school business officials.

19 The advanced training program shall consist of a minimum of [two
20 (2)] three (3) hours of instruction, including information on
21 relevant changes to Federal and State public school law and
22 regulations, fiscal management, trauma-informed approaches and
23 other information deemed appropriate by the Department of
24 Education to enable the school director to serve effectively.

25 * * *

26 (b) Beginning in the 2018-2019 school year, and in each
27 school year thereafter, the following shall apply:

28 (1) Each newly appointed trustee of a charter school entity
29 shall complete, within the trustee's first year of service, a
30 training program made available by the Department of Education,

1 in consultation with Statewide organizations representing
2 charter school entities, pertaining to the skills and knowledge
3 necessary to serve as a charter school entity trustee. The
4 training program shall consist of a minimum of [four (4)] five
5 (5) hours of instruction, including, at a minimum, the
6 information listed in subsection (a)(1) and information
7 concerning Article XVII-A.

8 (2) During the fifth year of a trustee's service on the
9 board of trustees and every four (4) years thereafter, each
10 trustee shall complete an advanced training program made
11 available by the Department of Education in consultation with
12 Statewide organizations representing charter school entities.
13 The advanced training program shall consist of a minimum of [two
14 (2)] three (3) hours of instruction, including information on
15 relevant changes to Federal and State public school law and
16 regulations, including Article XVII-A, fiscal management,
17 trauma-informed approaches and other information deemed
18 appropriate by the Department of Education to enable the trustee
19 to serve effectively.

20 * * *

21 Section 3. Section 1205.1 of the act is amended by adding a
22 subsection to read:

23 Section 1205.1. Continuing Professional Development.--* * *

24 (b.1) The professional education plan of each school entity
25 shall include a minimum of one (1) hour of required training in
26 trauma-informed approaches.

27 * * *

28 Section 4. The act is amended by adding a section to read:

29 Section 1205.7. Trauma-Informed Education.--(a) School
30 entities shall provide school employes with training on trauma-

1 informed approaches. The following apply:

2 (1) Training shall address, but shall not be limited to:

3 (i) Recognition of the signs of trauma in students.

4 (ii) Best practices for schools and classrooms regarding
5 trauma-informed approaches, including utilization of multitiered
6 systems of support.

7 (iii) Recognition of the signs of the impact of secondary
8 trauma on school employes.

9 (iv) The school entity's policies regarding trauma-informed
10 approaches.

11 (v) The school entity's policies regarding connecting
12 students with appropriate services.

13 (2) Training shall be on evidence-based programs and reflect
14 current best practices related to trauma-informed approaches.

15 (3) School employes required to undergo continuing
16 professional education under section 1205.2 or 1205.5 shall
17 receive credit toward the school employes' continuing
18 professional education requirements if the training program has
19 been approved by the Department of Education.

20 (4) The school entity shall make a reasonable effort to
21 facilitate a time and location for school employes under this
22 section to participate in the training during paid working hours
23 or in-service training.

24 (b) As used in this section, the following words and phrases
25 shall have the meanings given to them in this subsection:

26 "Evidence-based" shall have the meaning given in section
27 8101(21) of the Every Student Succeeds Act (Public Law 114-95,
28 129 Stat. 1802).

29 "School employe" shall have the meaning given to the term
30 "professional employe" in section 1101(1).

1 "School entity" shall mean a public school, including a
2 school district, charter school, cyber charter school, regional
3 charter school, intermediate unit or area vocational-technical
4 school, a private school or a nonpublic school.

5 Section 5. Section 1207.1(a)(3)(i) of the act is amended by
6 adding a clause to read:

7 Section 1207.1. Postbaccalaureate Certification.--(a)
8 Notwithstanding any other provision of law to the contrary, the
9 Secretary of Education shall have all of the following powers
10 and duties with regard to postbaccalaureate certification
11 programs:

12 * * *

13 (3) Develop guidelines for the approval of flexible
14 postbaccalaureate instructional certification programs. Such
15 program guidelines shall address:

16 (i) Instruction and training in the following:

17 * * *

18 (H) Trauma-informed approaches.

19 * * *

20 Section 6. Section 1217(a)(1) of the act is amended by
21 adding a subparagraph to read:

22 Section 1217. Pennsylvania School Leadership Standards.--(a)
23 Programs provided under section 1205.5(c) and (d) to prepare
24 school or system leaders and for purposes of issuing
25 administrator certificates or letters of eligibility and
26 approved programs for the induction and continuing professional
27 education of school or system leaders shall address:

28 (1) The following core standards:

29 * * *

30 (iv) Understanding the impact of trauma on a child's

1 educational experience, the school's culture, climate and
2 demographics and the community as a whole and applying trauma-
3 informed approaches to inform decision-making at all levels of
4 the system.

5 * * *

6 Section 6.1. Section 1301-B of the act is amended by adding
7 a definition to read:

8 Section 1301-B. Definitions.

9 The following words and phrases when used in this article
10 shall have the meaning given to them in this section unless the
11 context clearly indicates otherwise:

12 * * *

13 "State-related institution of higher education." As the term
14 "State-related institution" is defined in section 1502-A.

15 Section 7. Sections 1302-B(b), 1309-B(c) (2) and 1310-B(1) of
16 the act, added June 22, 2018 (P.L.327, No.44), are amended to
17 read:

18 Section 1302-B. School Safety and Security Committee.

19 * * *

20 (b) Composition.--The committee shall consist of a
21 chairperson and the following members:

22 (1) The Secretary of Education or a designee.

23 (2) The Attorney General or a designee.

24 (3) The Commissioner of Pennsylvania State Police or a
25 designee.

26 (4) The Director of the Pennsylvania Emergency
27 Management Agency or a designee.

28 (5) An individual appointed by the President pro tempore
29 of the Senate.

30 (6) An individual appointed by the Minority Leader of

1 the Senate.

2 (7) An individual appointed by the Speaker of the House
3 of Representatives.

4 (8) An individual appointed by the Minority Leader of
5 the House of Representatives.

6 (9) The chairperson of the commission or a designee.

7 (10) The Secretary of Human Services or a designee.

8 (10.1) The Secretary of Health or a designee.

9 (11) A recognized subject matter expert in strategic
10 security appointed by the Governor from three names submitted
11 jointly by the President pro tempore of the Senate and the
12 Speaker of the House of Representatives.

13 (12) The following members appointed by the Governor:

14 (i) An individual recommended by the Pennsylvania
15 Association of School Business Officials with experience
16 in school safety and security matters.

17 (ii) An individual recommended by the Pennsylvania
18 Association of School Administrators with experience in
19 school safety and security matters.

20 (iii) An individual member of local law enforcement
21 recommended by the State Fraternal Order of Police.

22 (iv) A child psychologist who specializes in mental,
23 social and emotional development of children recommended
24 by the Pennsylvania Psychological Association.

25 (v) A licensed clinical social worker recommended by
26 the Pennsylvania Society for Clinical Social Work.

27 (vi) An architect recommended by the American
28 Institute of Architects of Pennsylvania with experience
29 in school building safety and security matters.

30 (vii) A subject matter expert in trauma-informed

1 approaches from a State-related institution of higher
2 education.

3 * * *

4 Section 1309-B. School safety and security coordinator.

5 * * *

6 (c) Specific duties.--The school safety and security
7 coordinator shall:

8 * * *

9 (2) Coordinate training and resources for students and
10 school entity staff in matters relating to situational
11 awareness, trauma-informed [education awareness,] approaches,
12 behavioral health awareness, suicide and bullying awareness,
13 substance abuse awareness and emergency procedures and
14 training drills, including fire, natural disaster, active
15 shooter, hostage situation and bomb threat.

16 * * *

17 Section 1310-B. School safety and security training.

18 School entities shall provide their employees with mandatory
19 training on school safety and security subject to the following:

20 (1) Training shall address the following:

21 (i) Situational awareness.

22 (ii) Trauma-informed [education awareness.]
23 approaches.

24 (iii) Behavioral health awareness.

25 (iv) Suicide and bullying awareness.

26 (v) Substance use awareness.

27 (vi) Emergency training drills, including fire,
28 natural disaster, active shooter, hostage situation and
29 bomb threat.

30 * * *

1 Section 8. The act is amended by adding a section to read:

2 Section 1311-B. Trauma-informed approach.

3 No later than August 31, 2019, the committee shall develop a
4 model trauma-informed approach plan that shall be used by a
5 school entity applying for a grant under section 1306-B(j)(21).

6 The plan must include the following:

7 (1) Designation of at least one individual who:

8 (i) is assigned to the school;

9 (ii) oversees the implementation of the plan,
10 integrating the coordination of services and professional
11 development into the school entity's comprehensive plan;
12 and

13 (iii) serves as a member of a school's student
14 assistance program team.

15 (2) Coordination of services among:

16 (i) the student and the student's family;

17 (ii) the school; and

18 (iii) county-based services, community care
19 organizations, public health entities, nonprofit youth
20 service providers, community-based organizations,
21 organizations that provide before or after-school care
22 and other similar groups that are located in the
23 community.

24 (3) Indication of how coordinated services are provided
25 based on a trauma-informed approach with an understanding,
26 recognition and responsiveness to the effects of trauma on
27 education, absenteeism and school completion, including the
28 secondary impact of trauma on school employees.

29 (4) Utilization of evidence-based, evidence-informed and
30 culturally specific approaches and national models that are

1 tailored to the community to ensure that data is collected
2 and the effectiveness of the trauma-informed approaches are
3 determined.

4 (5) Professional development and support for school
5 staff which fosters a culture in the school entity and
6 community that is informed about how to understand, recognize
7 and respond to trauma and address the impact of trauma on
8 students as a secondary impact on school employees.

9 Section 9. Section 1513-D of the act is amended by adding a
10 paragraph to read:

11 Section 1513-D. Duties of department.

12 The department shall have the following powers and duties:

13 * * *

14 (8) To encourage the integration of trauma-informed
15 approaches into the program curriculum and the professional
16 development curriculum of personnel of the eligible provider
17 who have regular contact with children.

18 Section 10. Section 2603-B(d) of the act is amended by
19 adding a clause to read:

20 Section 2603-B. Powers and Duties of the Board.--* * *

21 (d) The board shall also have the authority and duty to:

22 * * *

23 (9.1) Adopt policies encouraging the inclusion of trauma-
24 informed approaches in professional education curriculum in all
25 public and private institutions of higher education in this
26 Commonwealth issuing degrees to individuals who may desire to
27 teach in the schools of this Commonwealth.

28 * * *

29 Section 11. Section 2604-B(b) (2) (vii) and (viii) of the act
30 are amended and subsection (b) (2) is amended by adding a

1 subclause to read:

2 Section 2604-B. Powers and Duties of Council of Basic
3 Education and Council of Higher Education.--* * *

4 (b) The Council of Basic Education shall have the power, and
5 its duty shall be to:

6 * * *

7 (2) investigate programs, conduct research studies and
8 formulate policy proposals in all educational areas not within
9 the purview of higher education, including, but not limited to:

10 * * *

11 (vii) the subjects to be taught and the activities to be
12 conducted in elementary, secondary, adult education and other
13 schools; [and]

14 (viii) the qualifications for employment of professional
15 personnel in the public schools; and

16 (ix) education and training in trauma-informed approaches;

17 * * *

18 Section 12. This act shall take effect in 60 days.