

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 301 Session of
2023

INTRODUCED BY HARKINS, SAMUELSON, KINSEY, HOHENSTEIN,
SCHLOSSBERG, HILL-EVANS, CIRESI, SANCHEZ, D. WILLIAMS,
PASHINSKI, MADDEN, NEILSON, WARREN, GALLOWAY, MALAGARI,
FREEMAN, STURLA, KINKEAD, N. NELSON, CEPEDA-FREYITZ AND
WAXMAN, MARCH 10, 2023

SENATOR MARTIN, APPROPRIATIONS, IN SENATE, RE-REPORTED AS
AMENDED, NOVEMBER 14, 2023

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 SPECIAL PROVISIONS APPLICABLE TO LIMITED SCHOOL
7 YEARS; IN DUTIES AND POWERS OF BOARD OF SCHOOL DIRECTORS,
8 FURTHER PROVIDING FOR ADDITIONAL SCHOOLS AND DEPARTMENTS; IN
9 GROUNDS AND BUILDINGS, FURTHER PROVIDING FOR LIMITATION ON
10 NEW APPLICATIONS FOR DEPARTMENT OF EDUCATION APPROVAL OF
11 PUBLIC SCHOOL BUILDING PROJECTS; IN SCHOOL DIRECTORS'
12 ASSOCIATIONS AND COUNTY BOARDS OF SCHOOL DIRECTORS, FURTHER
13 PROVIDING FOR POWERS AND DUTIES; IN INTERMEDIATE UNITS,
14 FURTHER PROVIDING FOR VISUAL SERVICES AND FOR SCHOOL SAFETY
15 AND SECURITY ENHANCEMENTS; IN CERTIFICATION OF TEACHERS,
16 FURTHER PROVIDING FOR SUBSTITUTE TEACHING PERMIT FOR
17 PROSPECTIVE TEACHERS AND FOR LOCALLY ISSUED TEMPORARY
18 CERTIFICATION FOR SUBSTITUTE TEACHERS, REPEALING PROVISIONS
19 RELATING TO PERMIT FOR CLASSROOM MONITORS AND PROVIDING FOR
20 PERMIT FOR CLASSROOM MONITORS; PROVIDING FOR THE EDUCATOR
21 PIPELINE SUPPORT GRANT PROGRAM; in pupils and attendance,
22 further providing for COMPULSORY EDUCATION OF PHYSICAL <--
23 DEFECTIVES, FOR SCHOOL LUNCH AND BREAKFAST REIMBURSEMENT, FOR
24 DEPENDENT CHILDREN, FOR actual cost of tuition and
25 maintenance of certain exceptional children in the four
26 chartered schools for education of the deaf and the blind; <--
27 ~~making a repeal, and making editorial changes.~~, FOR PAYMENT <--
28 OF COST OF TUITION AND MAINTENANCE OF CERTAIN EXCEPTIONAL
29 CHILDREN, FOR TRANSFER OF FUNDS FOR TRANSFERAL PROGRAMS AND

1 FOR CHILDREN UNDER SIX WITH DEFECTIVE HEARING AND PARENT OR
2 GUARDIAN ADVISED OF SCHOOLS, ETC.; IN SAFE SCHOOLS, FURTHER
3 PROVIDING FOR DEFINITIONS AND FOR OFFICE FOR SAFE SCHOOLS,
4 REPEALING PROVISIONS RELATING TO REGULATIONS AND TO
5 REPORTING, FURTHER PROVIDING FOR POLICY RELATING TO BULLYING
6 AND FOR MAINTENANCE OF RECORDS AND REPEALING PROVISIONS
7 RELATING TO SAFE SCHOOLS ADVOCATE IN SCHOOL DISTRICTS OF THE
8 FIRST CLASS, TO STANDING, TO ENFORCEMENT AND TO CONSTRUCTION
9 OF ARTICLE AND OTHER LAWS; IN SCHOOL SAFETY AND SECURITY,
10 FURTHER PROVIDING FOR DEFINITIONS AND FOR SCHOOL SAFETY AND
11 SECURITY COMMITTEE, PROVIDING FOR DUTIES OF COMMITTEE,
12 FURTHER PROVIDING FOR SCHOOL SAFETY AND SECURITY GRANT
13 PROGRAM, PROVIDING FOR TARGETED SCHOOL SAFETY GRANTS FOR
14 NONPUBLIC SCHOOLS AND SCHOOL ENTITIES PROGRAM, FOR
15 STANDARDIZED PROTOCOLS, FOR COUNTY SAFE SCHOOLS'
16 COLLABORATIVE AND FOR SCHOOL MENTAL HEALTH GRANTS FOR 2023-
17 2024 SCHOOL YEAR, FURTHER PROVIDING FOR SCHOOL SAFETY AND
18 SECURITY COORDINATOR TRAINING AND PROVIDING FOR REPORTING AND
19 MEMORANDUM OF UNDERSTANDING, FOR SAFE SCHOOLS ADVOCATE IN
20 SCHOOL DISTRICTS OF THE FIRST CLASS AND FOR ENFORCEMENT; IN
21 SCHOOL SECURITY, FURTHER PROVIDING FOR DEFINITIONS, FOR
22 SCHOOL POLICE OFFICERS, FOR ANNUAL REPORT AND FOR SCHOOL
23 SECURITY GUARDS; IN CHARACTER EDUCATION PROGRAM, FURTHER
24 PROVIDING FOR CHARACTER EDUCATION PROGRAM; IN COMMUNITY
25 COLLEGES, FURTHER PROVIDING FOR FINANCIAL PROGRAM AND
26 REIMBURSEMENT OF PAYMENTS; IN EDUCATIONAL TAX CREDITS,
27 FURTHER PROVIDING FOR DEFINITIONS, FOR QUALIFICATION AND
28 APPLICATION BY ORGANIZATIONS AND FOR LIMITATIONS; IN SCHOOL
29 DISTRICTS OF THE FIRST CLASS, FURTHER PROVIDING FOR
30 QUALIFICATIONS OF PRINCIPALS AND TEACHERS; IN FUNDING FOR
31 PUBLIC LIBRARIES, PROVIDING FOR STATE AID FOR FISCAL YEAR
32 2023-2024; IN REIMBURSEMENTS BY COMMONWEALTH AND BETWEEN
33 SCHOOL DISTRICTS, FURTHER PROVIDING FOR DEFINITIONS AND FOR
34 PAYMENTS ON ACCOUNT OF PUPILS ENROLLED IN CAREER AND
35 TECHNICAL CURRICULUMS, FOR PAYMENTS ON ACCOUNT OF COURSES FOR
36 EXCEPTIONAL CHILDREN, FOR PAYMENTS TO INTERMEDIATE UNITS, FOR
37 ASSISTANCE TO SCHOOL DISTRICTS DECLARED TO BE IN FINANCIAL
38 RECOVERY STATUS OR IDENTIFIED FOR FINANCIAL WATCH STATUS, FOR
39 PAYMENTS, FOR PAYMENTS ON ACCOUNT OF PUPIL TRANSPORTATION,
40 FOR READY-TO-LEARN BLOCK GRANT AND FOR PAYMENT OF REQUIRED
41 CONTRIBUTION FOR PUBLIC SCHOOL EMPLOYEES' SOCIAL SECURITY; IN
42 CONSTRUCTION AND RENOVATION OF BUILDINGS BY SCHOOL ENTITIES,
43 FURTHER PROVIDING FOR APPLICABILITY; PROVIDING FOR SCHOOL
44 ENVIRONMENTAL REPAIRS PROGRAM; AND MAKING AN EDITORIAL
45 CHANGE.

46 The General Assembly of the Commonwealth of Pennsylvania
47 hereby enacts as follows:

48 Section 1. Sections ~~502, 925, 923.2 A, 1328, 1338 and~~ <--
49 ~~1376(a)~~ 129 AND 502 of the act of March 10, 1949 (P.L.30, <--
50 No.14), known as the Public School Code of 1949, are amended to
51 read:

52 SECTION 129. SPECIAL PROVISIONS APPLICABLE TO LIMITED SCHOOL <--

1 YEARS.--NOTWITHSTANDING ANY PROVISION OF LAW OR REGULATION TO
2 THE CONTRARY, [FOR THE 2021-2022 AND 2022-2023 SCHOOL YEARS,]
3 IF, IN THE JUDGMENT OF A SCHOOL EMPLOYER, AN EMERGENCY OR
4 SHORTAGE OF DAY-TO-DAY SUBSTITUTE TEACHERS EXISTS UNDER 24
5 PA.C.S. § 8346(B) (RELATING TO TERMINATION OF ANNUITIES), THE
6 SCHOOL EMPLOYER MAY HIRE AN ANNUITANT, AS DEFINED IN 24 PA.C.S.
7 § 8102 (RELATING TO DEFINITIONS), REGARDLESS OF WHETHER THE
8 SCHOOL EMPLOYER FIRST ATTEMPTS TO SECURE NONRETIRED PERSONNEL,
9 EXCEPT THAT THE SCHOOL EMPLOYER SHALL COMPLY WITH SECTION
10 1125.1(D) (2) BY FIRST OFFERING THE WORK TO ANY CERTIFIED
11 PROFESSIONAL EMPLOYEE ON A RECALL LIST. THE PROVISIONS OF 24
12 PA.C.S. § 8346(B) REGARDING THE CONTINUATION OF ANNUITY OR
13 DISTRIBUTIONS TO AN ANNUITANT WHO RETURNS TO SCHOOL SERVICE
14 DURING AN EMERGENCY SHALL APPLY TO ANNUITANTS HIRED UNDER THIS
15 SECTION. NOTHING UNDER THIS SECTION SHALL SUPERSEDE OR PREEMPT A
16 PROVISION OF AN EXISTING COLLECTIVE BARGAINING AGREEMENT BETWEEN
17 A SCHOOL EMPLOYER AND AN EXCLUSIVE REPRESENTATIVE OF THE
18 EMPLOYEES UNDER THE ACT OF JULY 23, 1970 (P.L.563, NO.195), KNOWN
19 AS THE "PUBLIC EMPLOYEE RELATIONS ACT."

20 Section 502. Additional Schools and Departments.--In
21 addition to the elementary public schools, the board of school
22 directors in any school district may establish, equip, furnish,
23 and maintain the following additional schools or departments for
24 the education and recreation of persons residing in said
25 district, and for the proper operation of its schools, namely:--

26 High schools,
27 Trade schools,
28 Career and technical schools,
29 Cafeterias,
30 Agricultural schools,

1 Evening schools,
2 Kindergartens,
3 Libraries,
4 Museums,
5 Reading-rooms,
6 Gymnasiums,
7 Playgrounds,
8 Schools for [physically and mentally handicapped] children
9 with physical or intellectual disabilities,
10 [Truant schools] Alternative education schools,
11 Parental schools,
12 Schools for adults,
13 Public lectures,
14 Such other schools or educational departments as the
15 directors, in their wisdom, may see proper to establish.

16 Said additional schools or departments, when established,
17 shall be an integral part of the public school system in such
18 school district and shall be so administered.

19 No pupil shall be refused admission to the courses in these
20 additional schools or departments, by reason of the fact that
21 his elementary or academic education is being or has been
22 received in a school other than a public school.

23 SECTION 2. SECTION 732.1(A) OF THE ACT, AMENDED JULY 8, 2022 <--
24 (P.L.620, NO.55), IS AMENDED TO READ:

25 SECTION 732.1. LIMITATION ON NEW APPLICATIONS FOR DEPARTMENT
26 OF EDUCATION APPROVAL OF PUBLIC SCHOOL BUILDING PROJECTS.--(A)
27 FOR THE 2012-2013 FISCAL YEAR, 2013-2014 FISCAL YEAR, 2017-2018
28 FISCAL YEAR, 2018-2019 FISCAL YEAR, 2019-2020 FISCAL YEAR, 2020-
29 2021 FISCAL YEAR, 2021-2022 FISCAL YEAR [AND], 2022-2023 FISCAL
30 YEAR AND EACH FISCAL YEAR THEREAFTER, THE DEPARTMENT OF

1 EDUCATION SHALL NOT ACCEPT OR APPROVE NEW SCHOOL BUILDING
2 CONSTRUCTION OR RECONSTRUCTION PROJECT APPLICATIONS UNDER THIS
3 ARTICLE.

4 * * *

5 SECTION 3. SECTIONS 925 AND 923.2-A OF THE ACT ARE AMENDED
6 TO READ:

7 Section 925. Powers and Duties.--

8 (f) (1) Any county board of school directors may make
9 contracts of insurance with any insurance company, or nonprofit
10 hospitalization corporation, or nonprofit medical service
11 corporation, authorized to transact business within the
12 Commonwealth, insuring its employes, their spouses and
13 dependents and retired employes under a policy or policies of
14 group insurance covering life, health, hospitalization medical
15 service, or accident insurance, and for such purposes may agree
16 to pay part or all of the premiums or charges for carrying such
17 contracts, and may include the cost of such charges in its
18 estimate of the cost of operating and administering classes or
19 schools for [handicapped and institutionalized] children with
20 physical or intellectual disabilities to be operated by the
21 county board during the ensuing school year. No contract or
22 contracts of insurance authorized by this section shall be
23 purchased from or through any person employed by the county
24 board in a teaching or administrative capacity.

25 (2) The county board of school directors is hereby
26 authorized to deduct from the employe's pay, salary, or
27 compensation, such part of the premium as is payable by the
28 employe and as may be so authorized by the employe in writing.

29 (3) All contracts procured hereunder shall conform and be
30 subject to all the provisions of any existing or future laws

1 concerning group insurance contracts.

2 Section 923.2-A. Visual Services.--(a) Legislative Finding;
3 Declaration of Policy. [Defects] Impairments in vision are
4 health-related. It is today recognized that the diagnosis and
5 evaluation of those [defects] impairments and the rendering of
6 instruction in skills appropriate for the education, safety and
7 independence of children afflicted by visual impairments are
8 closely related to their physical, mental and emotional health.
9 Such services can best be rendered upon the premises of the
10 school which the child regularly attends and forcing children to
11 go to other premises in order to have such needed services is
12 found by the General Assembly to be both inadequate and harmful.
13 The General Assembly expressly finds and declares diagnostic,
14 evaluative and instructional services for such children to be
15 health services and it is the intention of the General Assembly
16 now to make these available, on a general and even-handed basis
17 to all school children in the Commonwealth.

18 (b) Definitions. As used in this section:

19 "Nonpublic school" means any nonprofit school, other than a
20 public school within the Commonwealth of Pennsylvania, wherein a
21 resident of the Commonwealth may legally fulfill the compulsory
22 school attendance requirements and which meets the requirements
23 of Title VI of the Civil Rights Act of 1964 (Public Law 88-352).

24 "Visual services" means diagnostic, evaluative and
25 instructional visual services for children.

26 (c) Provision of Services. The Secretary of Education,
27 directly or through the intermediate units out of their
28 allocation under section 922.1-A shall have the power and duty
29 to furnish free to nonpublic school students, upon the premises
30 of the nonpublic schools which they regularly attend, services

1 adequate for the diagnosis and evaluation of visual [defects]
2 impairments and instruction and training in skills advisable for
3 the education, independence and safety of such children,
4 including but not limited to mobility training, provided that
5 such services are also afforded to public school students by the
6 public school district in which such nonpublic school is
7 located.

8 SECTION 4. THE DEFINITION OF "SCHOOL SAFETY AND SECURITY <--
9 ENHANCEMENTS" IN SECTION 923.3-A(B) AND SUBSECTION (C) OF THE
10 ACT ARE AMENDED TO READ:

11 SECTION 923.3-A. SCHOOL SAFETY AND SECURITY ENHANCEMENTS.-*
12 * *

13 (B) DEFINITIONS. AS USED IN THIS SECTION:
14 * * *

15 "SCHOOL SAFETY AND SECURITY ENHANCEMENTS" MEANS PROGRAMS
16 WHICH ARE DESIGNED TO ADDRESS SCHOOL SAFETY AND SECURITY AND
17 LISTED IN SECTION [1302-A(C)] 1306.1-B(J), WHICH ARE SECULAR AND
18 NONIDEOLOGICAL IN NATURE.

19 (C) PROGRAM OF SCHOOL SAFETY AND SECURITY ENHANCEMENTS. A
20 PROGRAM OF SCHOOL SECURITY ENHANCEMENTS SHALL BE PROVIDED BY AN
21 INTERMEDIATE UNIT IN WHICH A NONPUBLIC SCHOOL IS LOCATED, IN
22 ACCORDANCE WITH STANDARDS DEVELOPED BY THE [SECRETARY OF
23 EDUCATION IN CONSULTATION WITH THE OFFICE OF SAFE SCHOOLS AND
24 THE PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY.] SCHOOL
25 SAFETY AND SECURITY COMMITTEE ESTABLISHED UNDER SECTION 1302-B
26 IN CONSULTATION WITH THE DEPARTMENT OF EDUCATION. THROUGH THE
27 PROGRAM, AN INTERMEDIATE UNIT SHALL MAKE APPLICATION FOR SCHOOL
28 SAFETY AND SECURITY ENHANCEMENTS UPON THE REQUEST OF A NONPUBLIC
29 SCHOOL OR COMBINATION OF NONPUBLIC SCHOOLS LOCATED WITHIN THE
30 INTERMEDIATE UNIT. SCHOOL SAFETY AND SECURITY ENHANCEMENTS FOR

1 WHICH GRANTS ARE RECEIVED SHALL BE PROVIDED FOR OR CONTRACTED
2 FOR DIRECTLY BY THE INTERMEDIATE UNIT OR LOANED BY THE
3 INTERMEDIATE UNIT TO THE NONPUBLIC SCHOOL.

4 * * *

5 SECTION 5. SECTION 1201.1(3) OF THE ACT IS AMENDED AND THE
6 SECTION IS AMENDED BY ADDING A PARAGRAPH TO READ:

7 SECTION 1201.1. SUBSTITUTE TEACHING PERMIT FOR PROSPECTIVE
8 TEACHERS.--AN INDIVIDUAL WHO DOES NOT HOLD A CERTIFICATE UNDER
9 SECTION 1201 SHALL BE ELIGIBLE TO TEACH AS A SUBSTITUTE IN A
10 SCHOOL DISTRICT, AN AREA CAREER AND TECHNICAL SCHOOL OR AN
11 INTERMEDIATE UNIT PROVIDED THAT:

12 * * *

13 (3) AN INDIVIDUAL RECEIVING A SUBSTITUTE TEACHING PERMIT FOR
14 PROSPECTIVE TEACHERS MAY SERVE AS A SUBSTITUTE TEACHER FOR NO
15 MORE THAN TEN (10) DAYS PER SCHOOL YEAR FOR A SINGLE
16 PROFESSIONAL EMPLOYE OR TEMPORARY PROFESSIONAL EMPLOYE, PROVIDED
17 THAT THE INDIVIDUAL MAY SERVE AS A SUBSTITUTE FOR MULTIPLE
18 PROFESSIONAL EMPLOYEES OR TEMPORARY PROFESSIONAL EMPLOYEES FOR NO
19 MORE THAN TWENTY (20) DAYS PER SCHOOL YEAR. [FOR THE 2021-2022
20 AND 2022-2023] SUBJECT TO PARAGRAPH (3.1), FOR THE 2023-2024,
21 2024-2025 AND 2025-2026 SCHOOL YEARS, THE NUMBER OF DAYS OR
22 HOURS PER SCHOOL YEAR FOR WHICH AN INDIVIDUAL RECEIVING A PERMIT
23 UNDER THIS SECTION MAY SERVE AS A SUBSTITUTE TEACHER SHALL NOT
24 BE LIMITED, EXCEPT FOR AN INDIVIDUAL WHO IS UNDERTAKING A
25 STUDENT TEACHER PROGRAM AS REQUIRED UNDER 22 PA. CODE §
26 354.25(F) (RELATING TO PREPARATION PROGRAM CURRICULUM) FOR
27 EDUCATOR PREPARATION PROGRAMS.

28 (3.1) DURING AN INDIVIDUAL'S STUDENT TEACHER PROGRAM
29 REQUIRED UNDER 22 PA. CODE § 354.25(F) (RELATING TO PREPARATION
30 PROGRAM CURRICULUM) FOR EDUCATOR PREPARATION PROGRAMS, THE

1 INDIVIDUAL MAY SERVE AS A SUBSTITUTE TEACHER FOR NO MORE THAN
2 TEN (10) DAYS IN THE INDIVIDUAL'S ASSIGNED CLASSROOM OR
3 CLASSROOMS OR FOR OTHER TEACHERS WITHIN THE BUILDING OR
4 BUILDINGS IN WHICH THE INDIVIDUAL HAS BEEN PLACED AS A STUDENT
5 TEACHER.

6 * * *

7 SECTION 6. SECTION 1215 OF THE ACT IS AMENDED TO READ:

8 SECTION 1215. LOCALLY ISSUED TEMPORARY CERTIFICATION FOR
9 SUBSTITUTE TEACHERS.--A TEMPORARY SUBSTITUTE TEACHER CERTIFICATE
10 MAY BE ISSUED BY A PUBLIC SCHOOL ENTITY TO AN INDIVIDUAL WHO
11 PRESENTS A LETTER FROM A COLLEGE OR UNIVERSITY VERIFYING THAT
12 THE INDIVIDUAL HAS COMPLETED AN APPROVED TEACHER PREPARATION
13 PROGRAM, HAS SUCCESSFULLY COMPLETED THE CERTIFICATION TESTING
14 REQUIREMENTS OR IS IN THE PROCESS OF SCHEDULING THE REQUIRED
15 CERTIFICATION TESTING AND HAS COMPLETED ALL REQUIREMENTS FOR THE
16 AWARDING OF A BACHELOR'S DEGREE ON A DATE CERTAIN. THE TEMPORARY
17 SUBSTITUTE TEACHER CERTIFICATE SHALL ONLY BE USED FOR DAY-TO-DAY
18 ASSIGNMENTS AND SHALL EXPIRE UPON THE TERMINATION OF ANY SUMMER
19 SCHOOL CONDUCTED IN THE SUMMER WHICH FOLLOWS THE DATE OF
20 ISSUANCE OR UPON THE RECEIPT OF INSTRUCTIONAL I CERTIFICATION BY
21 THE INDIVIDUAL. [FOR THE 2021-2022 AND 2022-2023 SCHOOL YEARS,
22 THE] THE TEMPORARY SUBSTITUTE TEACHER CERTIFICATE ISSUED UNDER
23 THIS SECTION MAY BE USED FOR ASSIGNMENTS OF MORE THAN TWENTY
24 (20) CONSECUTIVE DAYS TO FILL A POSITION DUE TO THE ABSENCE OF
25 PROFESSIONAL CERTIFIED PERSONNEL.

26 SECTION 7. SECTION 1218 OF THE ACT, EXPIRED JUNE 30, 2023,
27 IS REPEALED:

28 [SECTION 1218. PERMIT FOR CLASSROOM MONITORS.-- (A) A SCHOOL
29 ENTITY MAY REQUEST THAT THE DEPARTMENT ISSUE A CLASSROOM MONITOR
30 PERMIT TO ALLOW AN INDIVIDUAL TO DELIVER TO STUDENTS ASSIGNMENTS

1 THAT ARE PREPLANNED BY A PROFESSIONAL EMPLOYEE OR TEMPORARY
2 PROFESSIONAL EMPLOYEE. A CLASSROOM MONITOR MAY NOT PLAN LESSONS
3 OR CREATE OR GRADE STUDENT WORK.

4 (B) AN INDIVIDUAL RECEIVING A PERMIT UNDER SUBSECTION (A)
5 SHALL SATISFY ALL OF THE FOLLOWING:

6 (1) HAS COMPLETED AT LEAST SIXTY (60) SEMESTER HOURS OR THE
7 EQUIVALENT OF COURSES AT A COLLEGE OR UNIVERSITY LOCATED IN THIS
8 COMMONWEALTH AND ACCREDITED BY A REGIONAL ACCREDITING AGENCY, OR
9 HAS AT LEAST THREE (3) YEARS' EXPERIENCE AS A PARAPROFESSIONAL
10 IN A SCHOOL ENTITY AND IS CURRENTLY EMPLOYED AS A
11 PARAPROFESSIONAL IN A SCHOOL ENTITY.

12 (2) HAS MET THE REQUIREMENTS UNDER SECTIONS 111, 111.1 AND
13 1109(A) AND 23 PA.C.S. CH. 63 SUBCH. C (RELATING TO POWERS AND
14 DUTIES OF DEPARTMENT).

15 (3) HAS ATTAINED A MINIMUM AGE OF TWENTY-FIVE (25) YEARS.

16 (4) HAS COMPLETED TRAINING ON CLASSROOM MANAGEMENT PROVIDED
17 BY AN INTERMEDIATE UNIT AND APPROVED BY THE DEPARTMENT.

18 (C) AN INDIVIDUAL RECEIVING A PERMIT UNDER THIS SECTION WHO
19 IS ALREADY EMPLOYED BY THE SCHOOL ENTITY AS A PARAPROFESSIONAL
20 SHALL RECEIVE THE HIGHER OF THE INDIVIDUAL'S EXISTING
21 CONTRACTUAL COMPENSATION OR THE COMPENSATION ESTABLISHED BY THE
22 SCHOOL ENTITY FOR DAY-TO-DAY SUBSTITUTE TEACHERS.

23 (D) EACH SCHOOL ENTITY THAT USES THE SERVICES OF A CLASSROOM
24 MONITOR UNDER THIS SECTION SHALL ENSURE THAT EACH STUDENT WHO
25 RECEIVES SERVICES UNDER AN INDIVIDUALIZED EDUCATION PROGRAM
26 UNDER THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT (PUBLIC
27 LAW 91-230, 20 U.S.C. § 1400 ET SEQ.) RECEIVES A FREE AND
28 APPROPRIATE PUBLIC EDUCATION AS REQUIRED UNDER THE INDIVIDUALS
29 WITH DISABILITIES EDUCATION ACT.

30 (E) EACH SCHOOL ENTITY SHALL REPORT TO THE DEPARTMENT THE

1 FOLLOWING BY MARCH 31, 2023:

2 (1) THE NUMBER OF INDIVIDUALS WHO SERVED AS CLASSROOM
3 MONITORS UNDER THIS SECTION AND THE NUMBER OF DAYS ON WHICH THE
4 SCHOOL ENTITY USED THE SERVICES OF CLASSROOM MONITORS.

5 (2) THE SCHOOL ENTITY'S DAY-TO-DAY SUBSTITUTE TEACHER
6 COMPENSATION RATES IN THE 2020-2021, 2021-2022 AND 2022-2023
7 SCHOOL YEARS. FOR A SCHOOL ENTITY THAT USES A THIRD-PARTY ENTITY
8 TO PROVIDE SUBSTITUTE TEACHERS, THE RATE REPORTED BY THE SCHOOL
9 ENTITY SHALL BE THE TAKE-HOME AMOUNT RECEIVED BY AN INDIVIDUAL,
10 EXCLUDING THE PORTION PAID TO THE THIRD-PARTY ENTITY. THE
11 DEPARTMENT SHALL ISSUE RULES NECESSARY TO EFFECTUATE THIS
12 SUBSECTION.

13 (F) BY APRIL 15, 2023, THE DEPARTMENT SHALL ISSUE A REPORT
14 ON THE EFFECTIVENESS OF THE CLASSROOM MONITOR PERMIT AND
15 RECOMMENDATIONS FOR IMPROVEMENT OR CONTINUATION OF THE PERMIT.
16 THE REPORT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE INFORMATION
17 REPORTED TO THE DEPARTMENT UNDER SUBSECTION (E) AND A FORMAL
18 EVALUATION OF THE PERMIT AND ITS EFFECTIVENESS BY AN INDEPENDENT
19 RESEARCH ORGANIZATION WHICH MAY INCLUDE A COLLEGE OR UNIVERSITY
20 ACCREDITED BY A REGIONAL ACCREDITING AGENCY. THE REPORT SHALL BE
21 SUBMITTED TO THE GENERAL ASSEMBLY AND THE STATE BOARD AND SHALL
22 BE POSTED ON THE DEPARTMENT'S PUBLICLY ACCESSIBLE INTERNET
23 WEBSITE.

24 (G) THIS SECTION SHALL EXPIRE ON JUNE 30, 2023.]

25 SECTION 8. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

26 SECTION 1218.1. PERMIT FOR CLASSROOM MONITORS.--(A) A
27 SCHOOL ENTITY MAY REQUEST THAT THE DEPARTMENT ISSUE A CLASSROOM
28 MONITOR PERMIT TO ALLOW AN INDIVIDUAL TO DELIVER TO STUDENTS
29 ASSIGNMENTS THAT ARE PREPLANNED BY A PROFESSIONAL EMPLOYE OR
30 TEMPORARY PROFESSIONAL EMPLOYE. A CLASSROOM MONITOR MAY NOT PLAN

1 LESSONS OR CREATE OR GRADE STUDENT WORK.

2 (B) AN INDIVIDUAL RECEIVING A PERMIT UNDER SUBSECTION (A)
3 SHALL SATISFY ALL OF THE FOLLOWING:

4 (1) HAS COMPLETED AT LEAST SIXTY (60) SEMESTER HOURS OR THE
5 EQUIVALENT OF COURSES AT A COLLEGE OR UNIVERSITY LOCATED IN THIS
6 COMMONWEALTH AND ACCREDITED BY A REGIONAL ACCREDITING AGENCY OR
7 HAS AT LEAST THREE (3) YEARS' EXPERIENCE AS A PARAPROFESSIONAL
8 IN A SCHOOL ENTITY AND IS CURRENTLY EMPLOYED AS A
9 PARAPROFESSIONAL IN A SCHOOL ENTITY.

10 (2) HAS MET THE REQUIREMENTS UNDER SECTIONS 111, 111.1 AND
11 1109(A) AND 23 PA.C.S. CH. 63 SUBCH. C (RELATING TO POWERS AND
12 DUTIES OF DEPARTMENT).

13 (3) HAS ATTAINED A MINIMUM AGE OF TWENTY-FIVE (25) YEARS.

14 (4) HAS COMPLETED TRAINING ON CLASSROOM MANAGEMENT PROVIDED
15 BY AN INTERMEDIATE UNIT AND APPROVED BY THE DEPARTMENT.

16 (C) AN INDIVIDUAL RECEIVING A PERMIT UNDER THIS SECTION WHO
17 IS ALREADY EMPLOYED BY THE SCHOOL ENTITY AS A PARAPROFESSIONAL
18 SHALL RECEIVE THE HIGHER OF THE INDIVIDUAL'S EXISTING
19 CONTRACTUAL COMPENSATION OR THE COMPENSATION ESTABLISHED BY THE
20 SCHOOL ENTITY FOR DAY-TO-DAY SUBSTITUTE TEACHERS.

21 (D) EACH SCHOOL ENTITY THAT USES THE SERVICES OF A CLASSROOM
22 MONITOR UNDER THIS SECTION SHALL ENSURE THAT EACH STUDENT WHO
23 RECEIVES SERVICES UNDER AN INDIVIDUALIZED EDUCATION PROGRAM
24 UNDER THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT (PUBLIC
25 LAW 91-230, 20 U.S.C. § 1400 ET SEQ.) RECEIVES A FREE AND
26 APPROPRIATE PUBLIC EDUCATION AS REQUIRED UNDER THE INDIVIDUALS
27 WITH DISABILITIES EDUCATION ACT.

28 (E) EACH SCHOOL ENTITY SHALL REPORT TO THE DEPARTMENT THE
29 FOLLOWING BY MARCH 31, 2026:

30 (1) THE NUMBER OF INDIVIDUALS WHO SERVED AS CLASSROOM

1 MONITORS UNDER THIS SECTION AND THE NUMBER OF DAYS ON WHICH THE
2 SCHOOL ENTITY USED THE SERVICES OF CLASSROOM MONITORS.

3 (2) THE SCHOOL ENTITY'S DAY-TO-DAY SUBSTITUTE TEACHER
4 COMPENSATION RATES IN EACH OF THE SCHOOL YEARS FROM 2020-2021
5 THROUGH 2025-2026. FOR A SCHOOL ENTITY THAT USES A THIRD-PARTY
6 ENTITY TO PROVIDE SUBSTITUTE TEACHERS, THE RATE REPORTED BY THE
7 SCHOOL ENTITY SHALL BE THE TAKE-HOME AMOUNT RECEIVED BY AN
8 INDIVIDUAL, EXCLUDING THE PORTION PAID TO THE THIRD-PARTY
9 ENTITY. THE DEPARTMENT SHALL ISSUE RULES NECESSARY TO EFFECTUATE
10 THIS SUBSECTION.

11 (F) BY APRIL 15, 2026, THE DEPARTMENT SHALL ISSUE A REPORT
12 ON THE EFFECTIVENESS OF THE CLASSROOM MONITOR PERMIT AND
13 RECOMMENDATIONS FOR IMPROVEMENT OR CONTINUATION OF THE PERMIT.
14 THE REPORT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE INFORMATION
15 REPORTED TO THE DEPARTMENT UNDER SUBSECTION (E) AND A FORMAL
16 EVALUATION OF THE PERMIT AND ITS EFFECTIVENESS BY AN INDEPENDENT
17 RESEARCH ORGANIZATION WHICH MAY INCLUDE A COLLEGE OR UNIVERSITY
18 ACCREDITED BY A REGIONAL ACCREDITING AGENCY. THE REPORT SHALL BE
19 SUBMITTED TO THE GENERAL ASSEMBLY AND THE STATE BOARD AND SHALL
20 BE POSTED ON THE DEPARTMENT'S PUBLICLY ACCESSIBLE INTERNET
21 WEBSITE.

22 (G) THIS SECTION SHALL EXPIRE ON JUNE 30, 2026.

23 SECTION 9. THE ACT IS AMENDED BY ADDING AN ARTICLE TO READ:

24 ARTICLE XII-B

25 EDUCATOR PIPELINE SUPPORT GRANT PROGRAM

26 SECTION 1201-B. SCOPE OF ARTICLE.

27 THIS ARTICLE RELATES TO EDUCATOR WORKFORCE.

28 SECTION 1202-B. DEFINITIONS.

29 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE
30 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE

1 CONTEXT CLEARLY INDICATES OTHERWISE:

2 "AGENCY." THE PENNSYLVANIA HIGHER EDUCATION ASSISTANCE
3 AGENCY.

4 "APPROVED EDUCATOR PREPARATION PROGRAM." A SEQUENCE OF
5 COURSES AND EXPERIENCES OFFERED BY AN INSTITUTION OF HIGHER
6 EDUCATION THAT IS REVIEWED AND APPROVED BY THE DEPARTMENT.

7 "COOPERATING TEACHER." AN INDIVIDUAL WHO SATISFIES ALL OF
8 THE FOLLOWING:

9 (1) HOLDS A CERTIFICATION UNDER SECTION 1201 IN THE
10 SUBJECT AREA IN WHICH THE INDIVIDUAL WILL BE PROVIDING
11 GUIDANCE TO THE STUDENT TEACHER.

12 (2) HAS RECEIVED AT LEAST THREE YEARS OF SATISFACTORY
13 RATINGS AS A CERTIFIED TEACHER.

14 (3) HAS AT LEAST ONE YEAR OF CERTIFICATED TEACHING
15 EXPERIENCE IN THE SCHOOL ENTITY WHERE THE STUDENT TEACHER IS
16 PLACED.

17 "DEPARTMENT." THE DEPARTMENT OF EDUCATION OF THE
18 COMMONWEALTH.

19 "INSTITUTION OF HIGHER EDUCATION." A COLLEGE OR UNIVERSITY
20 THAT OFFERS A PROGRAM APPROVED BY THE DEPARTMENT TO PREPARE
21 PROFESSIONAL PERSONNEL FOR EMPLOYMENT IN A SCHOOL ENTITY IN
22 ACCORDANCE WITH 22 PA. CODE CH. 49 (RELATING TO CERTIFICATION OF
23 PROFESSIONAL PERSONNEL).

24 "NONPUBLIC SCHOOL." AS DEFINED IN SECTION 923.3-A(B).

25 "PROGRAM." THE EDUCATOR PIPELINE SUPPORT GRANT PROGRAM
26 ESTABLISHED UNDER SECTION 1203-B.

27 "SCHOOL ENTITY." A SCHOOL DISTRICT, INTERMEDIATE UNIT, AREA
28 CAREER AND TECHNICAL SCHOOL, CHARTER SCHOOL, REGIONAL CHARTER
29 SCHOOL OR CYBER CHARTER SCHOOL OPERATING WITHIN THIS
30 COMMONWEALTH.

1 "STUDENT TEACHER." AN INDIVIDUAL PARTICIPATING IN A
2 CLASSROOM TEACHING EXPERIENCE WHO, AS PART OF AN APPROVED
3 EDUCATOR PREPARATION PROGRAM FOR THE INITIAL OR ADVANCED
4 PREPARATION OF PROFESSIONAL EDUCATORS, PERFORMS CLASSROOM
5 TEACHING OR ASSISTS IN A SCHOOL ENTITY'S OR NONPUBLIC SCHOOL'S
6 EDUCATION PROGRAM UNDER THE SUPERVISION OF A COOPERATING
7 TEACHER.

8 SECTION 1203-B. PROGRAM ESTABLISHMENT AND DUTIES OF AGENCY.

9 (A) ESTABLISHMENT.--THE EDUCATOR PIPELINE SUPPORT GRANT
10 PROGRAM IS ESTABLISHED WITHIN THE AGENCY.

11 (B) DUTIES.--THE AGENCY, IN CONSULTATION WITH THE
12 DEPARTMENT, SHALL ADMINISTER THE PROGRAM AND, IN THE AGENCY'S
13 SOLE DISCRETION, AWARD A GRANT TO AN INDIVIDUAL WHO SUBMITS A
14 COMPLETED APPLICATION AND SATISFIES THE ELIGIBILITY REQUIREMENTS
15 UNDER SECTION 1204-B.

16 (C) APPLICATION.--NO LATER THAN 120 DAYS AFTER THE EFFECTIVE
17 DATE OF THIS SUBSECTION, THE AGENCY SHALL DEVELOP AND MAKE
18 AVAILABLE AN APPLICATION FORM THAT AN INDIVIDUAL WHO IS SEEKING
19 PLACEMENT AS A STUDENT TEACHER MAY USE TO APPLY FOR A GRANT
20 UNDER THE PROGRAM.

21 (D) TRANSFER OF APPROPRIATION.--THE APPROPRIATION IN THE
22 AMOUNT OF \$10,000,000 TO THE DEPARTMENT IN SECTION 215 OF THE
23 ACT OF AUGUST 3, 2023 (P.L. , NO.1A), KNOWN AS THE GENERAL
24 APPROPRIATION ACT OF 2023, FOR THE PURPOSE OF TEACHER STIPEND IS
25 TRANSFERRED TO THE AGENCY FOR THE ADMINISTRATION AND
26 IMPLEMENTATION OF THE PROGRAM.

27 (E) GRANT AMOUNT.--

28 (1) A STUDENT TEACHER SHALL RECEIVE A MINIMUM GRANT OF
29 \$10,000.

30 (2) AN ELIGIBLE STUDENT TEACHER WHO COMPLETES REQUIRED

1 STUDENT TEACHING IN A SCHOOL ENTITY IN AN AREA OF THIS
2 COMMONWEALTH THAT ATTRACTS FEW STUDENT TEACHERS OR THAT HAS A
3 HIGH RATE OF OPEN TEACHING POSITIONS SHALL, IN ADDITION TO
4 THE AMOUNT AWARDED UNDER PARAGRAPH (1), RECEIVE A MINIMUM
5 GRANT AMOUNT OF \$5,000. THE AGENCY, IN CONSULTATION WITH THE
6 DEPARTMENT, SHALL UTILIZE DATA FROM THE DEPARTMENT TO
7 DETERMINE THE AREAS IDENTIFIED IN THIS PARAGRAPH.

8 (3) FOR THE PURPOSES OF COMPUTING THE TAX UNDER ARTICLE
9 III OF THE TAX REFORM CODE OF 1971, THE CLASSES OF INCOME
10 UNDER SECTION 303 OF THE TAX REFORM CODE OF 1971 SHALL NOT
11 INCLUDE A PAYMENT RECEIVED BY AN INDIVIDUAL UNDER THIS
12 SUBSECTION.

13 (4) AN INDIVIDUAL WHO RECEIVES A GRANT PAYMENT UNDER
14 THIS SUBSECTION SHALL NOT BE CONSIDERED A SCHOOL EMPLOYEE FOR
15 THE PURPOSES OF 24 PA.C.S. PT. IV (RELATING TO RETIREMENT FOR
16 SCHOOL EMPLOYEES) FOR THE PERIOD DURING WHICH THE GRANT WAS
17 AWARDED.

18 (F) FUNDING.--

19 (1) THE AGENCY SHALL USE MONEY APPROPRIATED OR AVAILABLE
20 FOR THE PURPOSE OF THE PROGRAM AND MAY ACCEPT FUNDING FROM
21 PUBLIC AND PRIVATE SOURCES, INCLUDING THE FEDERAL GOVERNMENT,
22 FOR THE PAYMENT OF GRANTS UNDER THIS SECTION.

23 (2) IF THE AGENCY DETERMINES THAT THE DEMAND FOR THE
24 PROGRAM EXCEEDS THE AVAILABLE RESOURCES, THE AGENCY MAY
25 REQUEST ADDITIONAL FUNDING AS PART OF THE AGENCY'S BUDGET
26 REQUEST FOR THE NEXT FISCAL YEAR IN ACCORDANCE WITH SECTION
27 610 OF THE ACT OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS
28 THE ADMINISTRATIVE CODE OF 1929.

29 (G) ADDITIONAL DUTIES.--WHEN THE AGENCY AWARDS A GRANT TO A
30 STUDENT TEACHER UNDER THIS ARTICLE, THE AGENCY SHALL ALSO AWARD

1 A GRANT PAYMENT TO THE STUDENT TEACHER'S COOPERATING TEACHER.
2 THE COOPERATING TEACHER SHALL RECEIVE A MINIMUM GRANT OF \$2,500.
3 THE AGENCY MAY REDUCE THE GRANT AWARD AMOUNT TO A COOPERATING
4 TEACHER IF THE COOPERATING TEACHER RECEIVES COMPENSATION FROM AN
5 INSTITUTION OF HIGHER EDUCATION FOR SERVING AS A COOPERATING
6 TEACHER. AN INSTITUTION OF HIGHER EDUCATION MAY NOT CHARGE A
7 STUDENT TEACHER WHO RECEIVES A GRANT FOR THE COST OF PAYING A
8 COOPERATING TEACHER.

9 (H) DISSEMINATION OF INFORMATION.--THE AGENCY SHALL ANNUALLY
10 PROVIDE INFORMATION ABOUT THE PROGRAM ON THE DEPARTMENT'S
11 PUBLICLY ACCESSIBLE INTERNET WEBSITE AND TO ALL APPROVED
12 EDUCATOR PREPARATION PROGRAMS AND PUBLIC AND NONPUBLIC SECONDARY
13 SCHOOLS. AN APPROVED EDUCATOR PREPARATION PROGRAM SHALL ANNUALLY
14 DISSEMINATE INFORMATION ABOUT THE PROGRAM, INCLUDING INFORMATION
15 IDENTIFYING THE SCHOOL ENTITIES THAT QUALIFY THE STUDENT FOR AN
16 ADDITIONAL GRANT AWARD AMOUNT UNDER SUBSECTION (E).

17 (I) PAYMENT.--THE AGENCY SHALL ESTABLISH A METHOD FOR PAYING
18 GRANT AWARDS UNDER THE PROGRAM TO A SCHOOL ENTITY OR NONPUBLIC
19 SCHOOL. THE SCHOOL ENTITY OR NONPUBLIC SCHOOL SHALL USE ALL OF
20 THE MONEY RECEIVED UNDER THE PROGRAM FOR PAYMENT TO STUDENT
21 TEACHERS AND COOPERATING TEACHERS AS REQUIRED BY THIS SECTION
22 AND THE AGENCY.

23 (J) ADMINISTRATIVE FEE.--THE AGENCY MAY TAKE A REASONABLE
24 ADMINISTRATIVE FEE FOR DIRECT COSTS ASSOCIATED WITH THE
25 IMPLEMENTATION, ADMINISTRATION AND SERVICING OF THE PROGRAM. THE
26 FEE SHALL BE TAKEN FROM THE FUNDING RECEIVED UNDER SUBSECTION
27 (F) AND MAY NOT EXCEED 5%.

28 SECTION 1204-B. ELIGIBILITY.

29 (A) ELIGIBILITY.--FOR AN INDIVIDUAL TO BE ELIGIBLE FOR A
30 GRANT AS A STUDENT TEACHER UNDER THE PROGRAM, THE INDIVIDUAL

1 SHALL MEET ALL OF THE FOLLOWING:

2 (1) BE CURRENTLY ENROLLED IN AN INSTITUTION OF HIGHER
3 EDUCATION LOCATED IN THIS COMMONWEALTH.

4 (2) BE CURRENTLY ENROLLED IN AN APPROVED EDUCATOR
5 PREPARATION PROGRAM.

6 (3) MEET THE MINIMUM GRADE POINT AVERAGE ESTABLISHED
7 UNDER 22 PA. CODE § 354.24 (RELATING TO ACADEMIC
8 PERFORMANCE) .

9 (4) BE PLACED IN A POSITION AS A STUDENT TEACHER AT A
10 SCHOOL ENTITY OR NONPUBLIC SCHOOL LOCATED IN THIS
11 COMMONWEALTH.

12 (5) HAVE OBTAINED THE NECESSARY CLEARANCES REQUIRED
13 UNDER SECTION 111 AND 23 PA.C.S. § 6344(A.1) (RELATING TO
14 EMPLOYEES HAVING CONTACT WITH CHILDREN; ADOPTIVE AND FOSTER
15 PARENTS) .

16 (6) AGREE TO WORK AS A TEACHER AT A SCHOOL ENTITY OR
17 NONPUBLIC SCHOOL IN THIS COMMONWEALTH FOR A PERIOD OF NO LESS
18 THAN THREE YEARS, UNLESS THE AGENCY DETERMINES THAT THERE ARE
19 EXTENUATING CIRCUMSTANCES.

20 (B) CONSTRUCTION.--NOTHING IN THIS SECTION SHALL BE DEEMED
21 TO CREATE A RIGHT OF AN INDIVIDUAL TO RECEIVE A GRANT UNDER THE
22 PROGRAM.

23 (C) LIMITATION.--AN INDIVIDUAL MAY NOT RECEIVE MORE THAN ONE
24 GRANT FROM THE AGENCY UNDER THE PROGRAM AS A STUDENT TEACHER.
25 THIS SUBSECTION SHALL NOT APPLY TO GRANTS RECEIVED BY A
26 COOPERATING TEACHER.

27 (D) RECOVERY OF PAYMENTS.--THE AGENCY SHALL IMPLEMENT
28 GUIDELINES TO ENSURE RECORDKEEPING TO TRACK COMPLIANCE WITH
29 SUBSECTION (A) (6) . THE AGENCY MAY RECOVER A PAYMENT MADE TO A
30 TEACHER WHO DOES NOT COMPLY WITH SUBSECTION (A) (6) UNLESS THE

1 AGENCY DETERMINES THERE ARE EXTENUATING CIRCUMSTANCES.

2 SECTION 1205-B. REPORT.

3 (A) GENERAL RULE.--THE AGENCY SHALL PREPARE AND SUBMIT TO
4 THE GOVERNOR, THE SECRETARY OF EDUCATION AND THE GENERAL
5 ASSEMBLY NO LATER THAN DECEMBER 31, 2024, AND EACH DECEMBER 31
6 THEREAFTER, TO THE EXTENT THAT FUNDS ARE AVAILABLE, A REPORT
7 DETAILING THE OPERATION OF THE PROGRAM. THE REPORT SHALL, AT A
8 MINIMUM, INCLUDE:

9 (1) THE NUMBER OF APPLICANTS.

10 (2) THE NUMBER OF APPLICANTS WHO RECEIVED A GRANT UNDER
11 THE PROGRAM.

12 (3) THE NUMBER OF APPLICANTS WHO RECEIVED AN ADDITIONAL
13 AWARD UNDER SECTION 1203-B(F).

14 (4) A LIST OF SCHOOL ENTITIES OR NONPUBLIC SCHOOLS WHERE
15 AN APPLICANT SERVED AS A STUDENT TEACHER.

16 (5) A LIST OF APPROVED EDUCATOR PREPARATION PROGRAMS
17 WHERE APPLICANTS WHO WERE AWARDED A GRANT WERE ENROLLED.

18 (6) A LIST OF SCHOOL ENTITIES WHERE GRANTEES ARE
19 EMPLOYED FOLLOWING CERTIFICATION.

20 (7) THE NUMBER OF APPLICANTS WHO DID NOT FULFILL THE
21 REQUIREMENTS UNDER SECTION 1204-B(A) (6).

22 (8) ANY OTHER INFORMATION THE AGENCY DETERMINES.

23 (B) COORDINATION.--THE DEPARTMENT AND THE DEPARTMENT OF
24 LABOR AND INDUSTRY SHALL ASSIST THE AGENCY BY PROVIDING
25 NECESSARY DATA TO DETERMINE OUTCOMES RELATED TO THE PROGRAM.
26 SECTION 1206-B. DATA COLLECTION.

27 (A) STUDENT TEACHING PLACEMENT DATA.--THE DEPARTMENT SHALL
28 MAINTAIN A DATABASE OF STUDENT TEACHING OPPORTUNITIES FOR THE
29 UPCOMING SCHOOL YEAR. THE FOLLOWING SHALL APPLY TO THE DATABASE:

30 (1) A SCHOOL ENTITY OR NONPUBLIC SCHOOL WHO IS

1 INTERESTED IN HOSTING A STUDENT TEACHER MAY SUBMIT TO THE
2 DEPARTMENT THE NUMBER OF STUDENT TEACHERS THE SCHOOL ENTITY
3 OR NONPUBLIC SCHOOL IS SEEKING FOR THE UPCOMING SCHOOL YEAR.
4 IF A SCHOOL ENTITY'S OR NONPUBLIC SCHOOL'S REQUEST FOR
5 STUDENT TEACHERS FROM THE PREVIOUS SCHOOL YEAR WAS NOT
6 FULFILLED, THE SCHOOL ENTITY OR NONPUBLIC SCHOOL MAY REPORT
7 THE SHORTAGE OF REQUESTED STUDENT TEACHERS.

8 (2) EACH APPROVED EDUCATOR PREPARATION PROGRAM SHALL
9 SUBMIT TO THE DEPARTMENT THE NUMBER OF STUDENT TEACHERS
10 PLACED BY THE APPROVED EDUCATOR PREPARATION PROGRAM IN THE
11 PREVIOUS SCHOOL YEAR. IF THE APPROVED EDUCATOR PREPARATION
12 PROGRAM HAD MORE REQUESTS FOR STUDENT TEACHERS THAN AVAILABLE
13 STUDENT TEACHERS, THE APPROVED EDUCATOR PREPARATION PROGRAM
14 SHALL REPORT THE SHORTAGE OF AVAILABLE STUDENT TEACHERS TO
15 THE DEPARTMENT.

16 (3) NO LATER THAN JULY 31, 2024, AND EACH JULY 31
17 THEREAFTER, EACH APPROVED EDUCATOR PREPARATION PROGRAM SHALL
18 REPORT:

19 (I) THE NUMBER OF AGREEMENTS BETWEEN APPROVED
20 EDUCATOR PREPARATION PROGRAMS AND SCHOOL ENTITIES OR
21 NONPUBLIC SCHOOLS FOR THE PURPOSE OF PLACING STUDENT
22 TEACHERS.

23 (II) THE NAME OF EACH SCHOOL ENTITY OR NONPUBLIC
24 SCHOOL WITH WHICH AN APPROVED EDUCATOR PREPARATION
25 PROGRAM ENTERED INTO AN AGREEMENT.

26 (III) THE NUMBER OF STUDENT TEACHERS PLACED IN THE
27 PREVIOUS YEAR BY AN APPROVED EDUCATOR PREPARATION PROGRAM
28 AND THE SCHOOL ENTITY OR NONPUBLIC SCHOOL AT WHICH THE
29 STUDENT TEACHER WAS PLACED.

30 (B) (RESERVED).

1 SECTION 1207-B. MISCELLANEOUS PROVISIONS.

2 (A) INSTITUTIONS OF HIGHER EDUCATION.--WITHIN ONE YEAR OF
3 THE EFFECTIVE DATE OF THIS SECTION, IF AN INSTITUTION OF HIGHER
4 EDUCATION REQUIRES A STUDENT ENROLLED IN AN APPROVED EDUCATOR
5 PREPARATION PROGRAM TO TAKE A CLASS OR SEMINAR AS PART OF THE
6 STUDENT TEACHING EXPERIENCE WHILE THE STUDENT IS PARTICIPATING
7 IN A STUDENT TEACHING PROGRAM, THE INSTITUTION OF HIGHER
8 EDUCATION SHALL PROVIDE THE STUDENT WITH THE ABILITY TO
9 PARTICIPATE IN THE CLASS OR SEMINAR BY VIRTUAL MEANS.

10 (B) CREDIT.--IF A STUDENT TEACHER RECEIVES A GRANT UNDER THE
11 PROGRAM, AN APPROVED EDUCATOR PREPARATION PROGRAM MAY NOT
12 PROHIBIT THE STUDENT TEACHER FROM RECEIVING ACADEMIC CREDIT FOR
13 PARTICIPATING IN A STUDENT TEACHER EXPERIENCE IF THE STUDENT
14 TEACHER SUCCESSFULLY COMPLETES THE STUDENT TEACHING EXPERIENCE.

15 SECTION 10. SECTION 1328 OF THE ACT IS AMENDED TO READ:

16 Section 1328. Compulsory Education of Children with Physical
17 [Defectives] Impairments.--Every parent, guardian, or other
18 person, having control or charge of any child of compulsory
19 school age who is [deaf or blind, or is so crippled, or whose
20 hearing or vision is so defective] so hearing impaired or
21 visually impaired as to make it impracticable to have such child
22 educated in the public schools of the district in which he is a
23 resident, shall allow such child to be sent to some school where
24 proper provision is made for the education of the [deaf, or of
25 the blind, or of crippled children,] hearing impaired or
26 visually impaired or shall provide for the tuition of such child
27 by a legally certified private tutor.

28 SECTION 10.1. SECTION 1337.1 OF THE ACT IS AMENDED BY ADDING <--
29 A SUBSECTION TO READ:

30 SECTION 1337.1. SCHOOL LUNCH AND BREAKFAST REIMBURSEMENT.--*

1 * *

2 (C.2) TO THE EXTENT FUNDS ARE AVAILABLE, THE DEPARTMENT
3 SHALL PROVIDE STATE REIMBURSEMENT TO SCHOOLS THAT PARTICIPATE IN
4 THE NATIONAL SCHOOL LUNCH PROGRAM AND THE NATIONAL SCHOOL
5 BREAKFAST PROGRAM FOR THE DIFFERENCE BETWEEN THE REIMBURSEMENT
6 RATE FOR A FREE LUNCH AND A REDUCED PRICE LUNCH AND THE
7 DIFFERENCE BETWEEN THE REIMBURSEMENT RATE FOR A FREE BREAKFAST
8 AND A REDUCED PRICE BREAKFAST OR PAID BREAKFAST.

9 * * *

10 SECTION 10.2. SECTIONS 1338 AND 1376(A) OF THE ACT ARE
11 AMENDED TO READ:

12 Section 1338. Dependent Children.--In case any child of
13 compulsory school age cannot be kept in school in compliance
14 with the provisions of this act, on account of incorrigibility,
15 truancy, insubordination, or [other bad conduct] behaviors which
16 impede the learning of self or others, or if the presence of any
17 child attending school is detrimental to the welfare of such
18 school, on account of incorrigibility, truancy, insubordination,
19 or [other bad conduct] behaviors which impede the learning of
20 self or others, the board of school directors may, by its
21 superintendent, secretary, attendance officer or State,
22 municipal, port authority, transit authority or housing
23 authority police officer, under such rules and regulations as
24 the board may adopt, proceed against said child before the
25 juvenile court, or otherwise, as is now or may hereafter be
26 provided by law for incorrigible, truant, insubordinate, or
27 dependent children.

28 Section 1376. Cost of Tuition and Maintenance of Certain
29 Exceptional Children in Approved Institutions.--(a) When any
30 child between school entry age and twenty-one (21) years of age

1 and resident in this Commonwealth, who is blind or deaf, or has
2 cerebral palsy and/or neurological impairment and/or muscular
3 dystrophy and/or is [mentally retarded] intellectually disabled
4 and/or has a serious emotional [disturbance] disability and/or
5 has autism/pervasive developmental disorder and is enrolled,
6 with the approval of the Department of Education, as a pupil in
7 an approved private school approved by the Department of
8 Education, in accordance with standards and regulations
9 promulgated by the State Board of Education, the school district
10 in which such child is resident or, for students placed by a
11 charter school, the charter school in which the student was
12 enrolled shall pay the greater of either twenty per centum (20%)
13 of the actual audited cost of tuition and maintenance of such
14 child in such school, as determined by the Department of
15 Education, or its "tuition charge per elementary pupil" or its
16 "tuition charge per high school pupil," as calculated pursuant
17 to section 2561, and the Commonwealth shall pay, out of funds
18 appropriated to the department for special education, the
19 balance due for the costs of such child's tuition and
20 maintenance, as determined by the department. For the school
21 years 1989-1990, 1990-1991 and 1991-1992, the school district
22 payment shall be no greater than forty percent (40%) of the
23 actual audited costs of tuition and maintenance of such child in
24 such school. For the 1992-1993 school year through the 2003-2004
25 school year, the school district or charter school payment shall
26 be the greater of forty percent (40%) of the actual audited
27 costs of tuition and maintenance of such child in such school,
28 as determined by the Department of Education, or its "tuition
29 charge per elementary pupil" or its "tuition charge per high
30 school pupil," as calculated pursuant to section 2561, and the

1 Commonwealth shall pay, out of funds appropriated to the
2 department for approved private schools, the balance due for the
3 costs of such child's tuition and maintenance, as determined by
4 the department. For the 2004-2005 school year and each school
5 year thereafter, the school district or charter school payment
6 shall be the greater of forty percent (40%) of the approved
7 tuition rate as established pursuant to subsection (c.3) or
8 (c.5) or the school district or charter school's "tuition
9 charges per elementary pupil" or "tuition charges per secondary
10 pupil" as calculated under section 2561, and the Commonwealth
11 shall pay out of funds appropriated to the department for
12 approved private schools the balance of the approved tuition
13 rate due for the cost of such child's tuition and maintenance.
14 The department will credit the district of residence with
15 average daily membership for such child consistent with the
16 rules of procedure developed in accordance with section 2501. If
17 the residence of such child in a particular school district
18 cannot be determined, the Commonwealth shall pay the whole cost
19 of tuition and maintenance of such child as established under
20 subsection (c.3) or (c.5).

21 * * *

22 ~~Section 2. Section 1376.1(b.2) of the act is amended by~~ <--
23 ~~adding a paragraph to read:~~

24 ~~Section 1376.1. Actual Cost of Tuition and Maintenance of~~
25 ~~Certain Exceptional Children in the Four Chartered Schools for~~
26 ~~Education of the Deaf and the Blind. * * *~~

27 ~~(b.2) Payments are as follows:~~

28 ~~* * *~~

29 ~~(4) From money appropriated to the Department of Education~~
30 ~~for Pennsylvania Chartered Schools for Deaf and Blind Children~~

1 ~~for the 2022-2023 fiscal year, the amount of \$1,000,000 shall be~~
2 ~~used for capital related costs and deferred maintenance to be~~
3 ~~divided equally between each Chartered School for Education of~~
4 ~~the Deaf and the Blind.~~

5 * * *

6 Section 3 11. Sections 1377, 1377.1, ~~1379, 1502 E(b), 2108, <--~~
7 ~~2501(11), 2509 heading and (b), 2517(e) and 2541(b) (3) AND 1379, <--~~
8 ARTICLE XIII-A HEADING AND SECTIONS 1301-A AND 1302-A of the act
9 are amended to read:

10 Section 1377. Payment of Cost of Tuition and Maintenance of
11 Certain [Exceptional] Children with Disabilities.--(a) To
12 facilitate payments by the several school districts to the
13 schools or institutions in which [deaf or blind] children who
14 are hearing impaired or visually impaired, or cerebral palsied
15 and/or [brain damaged] have a brain injury and/or muscular
16 dystrophied, or socially and emotionally [disturbed] disabled or
17 [mentally retarded children] intellectually disabled are
18 enrolled, of amounts due by such districts for their proportion
19 of the cost of tuition and maintenance of such children, the
20 Secretary of Education shall withhold from any moneys due to
21 such districts out of any State appropriation for the assistance
22 as reimbursement of school districts, the amounts due by such
23 districts to such schools or institutions for the [blind or the
24 deaf] visually impaired or hearing impaired, or the cerebral
25 palsied and/or [brain damaged] who have a brain injury and/or
26 muscular dystrophied or the socially and emotionally [disturbed]
27 disabled and/or [mentally retarded] intellectually disabled.
28 Amounts so withheld shall be specifically appropriated to the
29 Department of Education.

30 (b) Payments of the Commonwealth's proportion of the cost of

1 tuition and maintenance of [blind or deaf] students who are
2 visually impaired or hearing impaired, or cerebral palsied
3 and/or [brain damaged] who have a brain injury and/or muscular
4 dystrophied, or socially and emotionally [disturbed] disabled
5 and/or [mentally retarded pupils] intellectually disabled and
6 are enrolled in schools or institutions for the [blind or for
7 the deaf] visually impaired or hearing impaired, or for the
8 cerebral palsied and/or [brain damaged] brain injured and/or
9 muscular dystrophied, or for the socially and emotionally
10 [disturbed] disabled and of the cost of instruction of parents
11 of [blind] visually impaired pupils less than school entry age,
12 as hereinbefore provided, shall be made quarterly, out of moneys
13 appropriated to the Department of Education for special
14 education. Except for the provisions of section 1376.1 providing
15 for the actual cost of tuition and maintenance of certain
16 [exceptional] children with disabilities in the four chartered
17 schools for education of the [deaf and of the blind] hearing
18 impaired or visually impaired, in no event shall the total
19 payment for the cost of tuition and maintenance of any such
20 child exceed the rates per year allowed under section 1376. The
21 maximum amount payable for the cost of tuition and maintenance
22 of such children shall be subject to review at least once every
23 two years for the purpose of recommending an adjustment thereof.

24 (c) For the purpose of enabling the Department of Education
25 to determine from time to time what amounts are due to schools
26 for the [blind or for the deaf] visually impaired or hearing
27 impaired or for the cerebral palsied and/or [brain damaged]
28 brain injured and/or muscular dystrophied or for the socially
29 and emotionally [disturbed] disabled and/or [mentally retarded]
30 intellectually disabled hereunder, such schools shall forward to

1 the department, at such times and in such form as the department
2 shall prescribe, sworn statements setting forth the names, ages,
3 and residences of all pupils enrolled hereunder, specifying the
4 school districts liable for a part of the cost of tuition and
5 maintenance of any such pupils, the per capita cost of and
6 maintenance of pupils, and such other information as the
7 department shall require.

8 For the purpose of providing adequate administration of the
9 program and to carry out the preaudit functions authorized in
10 section 1376(a), one-half of one percent (.50%) of the total
11 appropriations for approved private schools from all funds shall
12 be allocated to the Department of Education.

13 (d) When, during the course of the 1982-1983 school year,
14 programs for [exceptional] children with disabilities are caused
15 to be transferred from schools or institutions for the [blind or
16 deaf] visually impaired or hearing impaired, or cerebral palsied
17 or [brain damaged] brain injured or muscular dystrophied or
18 [mentally retarded] intellectually disabled, or socially and
19 emotionally [disturbed] disabled, as provided for in sections
20 1376 and 1376.1, to school districts or intermediate units, as
21 provided for in sections 2509 and 2509.1, under unanticipated or
22 emergency circumstances, and when such transfers necessitate the
23 transfer of funds from the appropriation to the Department of
24 Education for special education for approved private schools to
25 the appropriation to the Department of Education for payments on
26 account of special education of [exceptional] children with
27 disabilities in public schools, the Secretary of Education shall
28 be empowered so to transfer such funds, upon approval of the
29 Secretary of the Budget and written notification to the State
30 Treasurer and the chairmen of the House and Senate

1 Appropriations and Education Committees.

2 Section 1377.1. Transfer of Funds for Transferal Programs.--

3 When, during the course of a school year or after the end of a

4 school year, programs for [exceptional] children with

5 disabilities are caused to be transferred from schools or

6 institutions for the [blind or deaf] visually impaired or

7 hearing impaired, or cerebral palsied or [brain damaged] brain

8 injured or muscular dystrophied or [mentally retarded]

9 intellectually disabled, or socially and emotionally [disturbed]

10 disabled, as provided for in sections 1376 and 1376.1, to school

11 districts or intermediate units, as provided for in sections

12 2509 and 2509.1, and when such transfers necessitate the

13 transfer of funds from the appropriation to the Department of

14 Education for special education for approved private schools to

15 the appropriation to the Department of Education for payments on

16 account of special education of [exceptional] children with

17 disabilities in public schools, the Secretary of Education shall

18 be empowered to transfer such funds, upon approval of the

19 Secretary of the Budget and written notification to the State

20 Treasurer and the chairmen of the House and Senate

21 Appropriations and Education Committees.

22 Section 1379. Children Under Six with [Defective] Impaired

23 Hearing; Parent or Guardian Advised of Schools, etc.--Whenever

24 notified by the Department of Health of the case of a minor

25 under six (6) years of age, who is totally [deaf or whose

26 hearing is impaired] or partially hearing impaired, the

27 Superintendent of Public Instruction, when in his judgment the

28 same is deemed desirable, shall communicate to the parent or

29 guardian the location of any special schools, and also the

30 nearest public school having special classes for the instruction

1 of the [hard of] hearing impaired, with the information
2 concerning the advantages offered by such school or classes, the
3 benefits to accrue to the child from attending such school or
4 classes, and the manner in which the expenses of such
5 instruction will be provided for.

6 ARTICLE XIII-A. <--

7 [SAFE SCHOOLS] STUDENT SUPPORTS.

8 SECTION 1301-A. DEFINITIONS.--AS USED IN THIS ARTICLE,

9 "CHIEF SCHOOL ADMINISTRATOR" SHALL MEAN THE SUPERINTENDENT OF
10 A PUBLIC SCHOOL DISTRICT, SUPERINTENDENT OF AN AREA CAREER AND
11 TECHNICAL SCHOOL, EXECUTIVE DIRECTOR OF AN INTERMEDIATE UNIT OR
12 CHIEF EXECUTIVE OFFICER OF A CHARTER SCHOOL.

13 ["OFFICE" SHALL MEAN THE OFFICE FOR SAFE SCHOOLS WITHIN THE
14 DEPARTMENT OF EDUCATION.]

15 "SCHOOL ENTITY" SHALL MEAN ANY PUBLIC SCHOOL DISTRICT,
16 INTERMEDIATE UNIT, AREA CAREER AND TECHNICAL SCHOOL OR CHARTER
17 SCHOOL.

18 "SCHOOL-BASED DIVERSION PROGRAMS" SHALL MEAN PROGRAMS [THAT,
19 IN PARTNERSHIP WITH OTHER STAKEHOLDERS, DIVERT YOUTH OUT OF THE
20 JUVENILE JUSTICE SYSTEM.] AND INTERVENTIONS DESIGNED TO REDIRECT
21 YOUTH WHO COMMIT MINOR OFFENSES IN SCHOOL FROM EXCLUSIONARY
22 DISCIPLINARY PRACTICES OR FORMAL PROCESSING IN THE JUVENILE
23 JUSTICE SYSTEM, WHILE STILL HOLDING THE STUDENT ACCOUNTABLE FOR
24 THE STUDENT'S ACTIONS. THESE PROGRAMS INCLUDE, BUT ARE NOT
25 LIMITED TO, YOUTH AID PANELS [IN WHICH A PANEL OF COMMUNITY
26 MEMBERS DECIDE AN APPROPRIATE RESOLUTION TO HOLD THE STUDENT
27 ACCOUNTABLE FOR THE STUDENT'S ACTIONS BY, AMONG OTHER OPTIONS,
28 REQUIRING THE STUDENT TO COMPLETE EDUCATIONAL ACTIVITIES,
29 COMMUNITY SERVICE, RESTITUTION AND ANY OTHER RELATED PROGRAM OR
30 SERVICE.], POSITIVE YOUTH DEVELOPMENT PROGRAMMING, TEEN/YOUTH

1 COURTS, RESTORATIVE JUSTICE INTERVENTIONS, TRUANCY PREVENTION
2 AND INTERVENTION PROGRAMS, MENTORING PROGRAMS AND INTERVENTION
3 PROGRAMS AND EDUCATIONAL PRACTICES TO ASSIST STUDENTS WITH
4 PERSISTENT DISRUPTIVE AND SERIOUS PROBLEM BEHAVIORS.

5 "SCHOOL PROPERTY" SHALL MEAN ANY PUBLIC SCHOOL GROUNDS, ANY
6 SCHOOL-SPONSORED ACTIVITY OR ANY CONVEYANCE PROVIDING
7 TRANSPORTATION TO A SCHOOL ENTITY OR SCHOOL-SPONSORED ACTIVITY.

8 "SCHOOL-WIDE POSITIVE BEHAVIOR SUPPORT" MEANS A SCHOOL-WIDE,
9 EVIDENCE-BASED [AND DATA-DRIVEN APPROACH TO IMPROVING SCHOOL
10 BEHAVIOR THAT SEEKS TO REDUCE UNNECESSARY STUDENT DISCIPLINARY
11 ACTIONS AND PROMOTE A CLIMATE OF GREATER PRODUCTIVITY, SAFETY
12 AND LEARNING] TIERED FRAMEWORK FOR SUPPORTING STUDENTS'
13 BEHAVIORAL, ACADEMIC, SOCIAL, EMOTIONAL AND MENTAL HEALTH.

14 ["STUDENT WITH A DISABILITY" SHALL MEAN A STUDENT WHO MEETS
15 THE DEFINITION OF "CHILD WITH A DISABILITY" UNDER THE
16 INDIVIDUALS WITH DISABILITIES EDUCATION ACT (PUBLIC LAW 91-230,
17 20 U.S.C. § 1400 ET SEQ.) OR WHO MEETS THE DEFINITION OF A
18 "HANDICAPPED PERSON" UNDER SECTION 504 OF THE REHABILITATION ACT
19 OF 1973 (PUBLIC LAW 93-112, 29 U.S.C. § 794) AND ITS
20 IMPLEMENTING REGULATIONS (34 C.F.R. § 104.3(J)). THE TERM
21 INCLUDES A STUDENT FOR WHOM AN EVALUATION IS PENDING UNDER
22 EITHER THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT OR
23 REHABILITATION ACT.]

24 "WEAPON" SHALL INCLUDE, BUT NOT BE LIMITED TO, ANY KNIFE,
25 CUTTING INSTRUMENT, CUTTING TOOL, NUNCHAKU, FIREARM, SHOTGUN,
26 RIFLE AND ANY OTHER TOOL, INSTRUMENT OR IMPLEMENT CAPABLE OF
27 INFLECTING SERIOUS BODILY INJURY.

28 SECTION 1302-A. [OFFICE FOR SAFE SCHOOLS] STUDENT
29 SUPPORTS.-- (A) [THERE IS HEREBY ESTABLISHED IN THE DEPARTMENT
30 OF EDUCATION AN OFFICE FOR SAFE SCHOOLS.] (RESERVED).

1 (B) THE [OFFICE] DEPARTMENT OF EDUCATION SHALL HAVE THE
2 POWER AND DUTY TO IMPLEMENT THE FOLLOWING:

3 (1) [TO COORDINATE ANTIVIOLENCE EFFORTS BETWEEN SCHOOL,
4 PROFESSIONAL, PARENTAL, GOVERNMENTAL, LAW ENFORCEMENT AND
5 COMMUNITY ORGANIZATIONS AND ASSOCIATIONS.

6 (2) TO COLLECT, DEVELOP AND DISSEMINATE INFORMATION,
7 POLICIES, STRATEGIES AND OTHER INFORMATION TO ASSIST IN THE
8 DEVELOPMENT OF PROGRAMS TO IMPACT SCHOOL VIOLENCE.

9 (2.1) TO DIRECT ALL SCHOOL ENTITIES TO SUBMIT ANNUAL SCHOOL
10 VIOLENCE STATISTICS AND REPORTS TO THE OFFICE NO LATER THAN JULY
11 31 OF EACH YEAR.

12 (3)] TO COLLECT, DEVELOP AND DISSEMINATE INFORMATION,
13 POLICIES, STRATEGIES AND OTHER INFORMATION TO ASSIST IN THE
14 DEVELOPMENT OF PROGRAMS THAT SUPPORT STUDENTS, REDUCE
15 UNNECESSARY STUDENT DISCIPLINARY ACTIONS AND PROMOTE AN
16 ENVIRONMENT OF GREATER PRODUCTIVITY, SAFETY AND LEARNING,
17 INCLUDING, BUT NOT LIMITED TO:

18 (I) SCHOOL-WIDE POSITIVE BEHAVIOR SUPPORT THAT INCLUDES
19 PRIMARY OR UNIVERSAL, SECONDARY AND TERTIARY SUPPORTS AND
20 INTERVENTIONS IN SCHOOL ENTITIES.

21 (II) SCHOOL-BASED DIVERSION PROGRAMS.

22 (III) CLASSROOM MANAGEMENT.

23 (IV) STUDENT DISCIPLINE.

24 (V) STUDENT CODES OF CONDUCT.

25 (VI) TRAINING TO ASSESS RISK FACTORS THAT INCREASE THE
26 LIKELIHOOD OF PROBLEM BEHAVIORS AMONG STUDENTS.

27 (VII) CONFLICT RESOLUTION AND DISPUTE MANAGEMENT.

28 (VIII) STAFF TRAINING PROGRAMS IN THE USE OF POSITIVE
29 BEHAVIOR SUPPORTS, DE-ESCALATION TECHNIQUES, APPROPRIATE
30 RESPONSES TO STUDENT BEHAVIOR THAT MAY REQUIRE IMMEDIATE

1 INTERVENTION AND TRAUMA-INFORMED TREATMENT FOR MENTAL HEALTH
2 PROVIDERS IN SCHOOLS.

3 (IX) RESEARCH-BASED VIOLENCE PREVENTION PROGRAMS THAT
4 ADDRESS RISK FACTORS TO REDUCE INCIDENTS OF PROBLEM BEHAVIORS
5 AMONG STUDENTS, INCLUDING, BUT NOT LIMITED TO, MENTAL HEALTH
6 EARLY INTERVENTION, SELF-CARE, BULLYING AND SUICIDE AWARENESS
7 AND PREVENTION.

8 (X) RISK ASSESSMENT, SAFETY-RELATED, VIOLENCE PREVENTION
9 CURRICULA, INCLUDING DATING VIOLENCE CURRICULA, RESTORATIVE
10 JUSTICE STRATEGIES, MENTAL HEALTH EARLY INTERVENTION, SELF-CARE
11 AND SUICIDE AWARENESS AND PREVENTION CURRICULA.

12 (XI) EVIDENCE-BASED SCREENINGS FOR ADVERSE CHILDHOOD
13 EXPERIENCES THAT ARE PROVEN TO BE DETERMINANTS OF PHYSICAL,
14 SOCIAL AND BEHAVIORAL HEALTH AND PROVIDE TRAUMA-INFORMED
15 COUNSELING SERVICES AS NECESSARY TO STUDENTS BASED UPON THE
16 SCREENING RESULTS.

17 (XII) TRAUMA-INFORMED APPROACHES THAT INCREASE STUDENT AND
18 SCHOOL EMPLOYEE ACCESS TO QUALITY TRAUMA SUPPORT SERVICES AND
19 BEHAVIORAL HEALTH CARE.

20 (2) TO PROVIDE DIRECT TRAINING TO SCHOOL EMPLOYEES, PARENTS,
21 LAW ENFORCEMENT OFFICIALS AND COMMUNITIES ON EFFECTIVE MEASURES
22 TO [PREVENT AND COMBAT SCHOOL VIOLENCE.]

23 (4)] MAINTAIN AND IMPROVE LEARNING ENVIRONMENTS FOR STUDENTS
24 AND STAFF.

25 (3) TO [ADVISE] ASSIST IN COLLABORATION AND COORDINATION
26 WITH THE SCHOOL SAFETY AND SECURITY COMMITTEE ESTABLISHED UNDER
27 SECTION 1302-B SCHOOL ENTITIES AND NONPUBLIC SCHOOLS ON THE
28 DEVELOPMENT OF POLICIES TO BE USED REGARDING POSSESSION OF
29 WEAPONS BY ANY PERSON, ACTS OF VIOLENCE AND PROTOCOLS FOR
30 COORDINATION WITH AND REPORTING TO LAW ENFORCEMENT OFFICIALS AND

1 THE DEPARTMENT OF EDUCATION.

2 [(4.1)] (4) TO VERIFY THE EXISTENCE OF CORRECTIVE ACTION
3 PLANS TO REDUCE INCIDENTS OF VIOLENCE AS REQUIRED IN THE [NO
4 CHILD LEFT BEHIND ACT OF 2001 (PUBLIC LAW 107-110, 115 STAT.
5 1425).] EVERY STUDENT SUCCEEDS ACT (PUBLIC LAW 114-95, 129 STAT.
6 1802).

7 (5) TO DEVELOP IN COLLABORATION AND COORDINATION WITH THE
8 SCHOOL SAFETY AND SECURITY COMMITTEE ESTABLISHED UNDER SECTION
9 1302-B FORMS TO BE USED BY SCHOOL ENTITIES AND POLICE
10 DEPARTMENTS FOR REPORTING INCIDENTS INVOLVING ACTS OF VIOLENCE
11 AND POSSESSION OF WEAPONS ON SCHOOL PROPERTY. THE FORMS SHALL BE
12 REVIEWED ON A BIENNIAL BASIS AND REVISED WHEN NECESSARY.

13 [(6) TO VERIFY THAT EACH SCHOOL ENTITY HAS A BIENNIALLY
14 UPDATED AND REEXECUTED MEMORANDUM OF UNDERSTANDING WITH LOCAL
15 LAW ENFORCEMENT AND HAS FILED SUCH MEMORANDUM WITH THE OFFICE ON
16 A BIENNIAL BASIS.

17 (7) TO PUBLISH AND POST ON THE DEPARTMENT OF EDUCATION'S
18 INTERNET WEBSITE A SCHOOL SAFETY ANNUAL REPORT NO LATER THAN
19 NOVEMBER 1 OF EACH CALENDAR YEAR OUTLINING ALL INCIDENTS
20 REQUIRED TO BE REPORTED UNDER SECTION 1303-A AND ANY SCHOOL
21 DISTRICT THAT FAILED TO SUBMIT A REPORT UNDER SECTION 1303-A.

22 (8) TO ESTABLISH CRITERIA, IN CONSULTATION WITH THE
23 PENNSYLVANIA STATE POLICE, FOR CERTIFYING APPROVED VENDORS TO
24 PROVIDE SCHOOL POLICE OFFICERS TO NONPUBLIC SCHOOLS FOR THE
25 PURPOSES OF AWARDING GRANTS UNDER SUBSECTION (C.1) (3).

26 (9) TO PUBLISH AND POST ON THE DEPARTMENT OF EDUCATION'S
27 PUBLICLY ACCESSIBLE INTERNET WEBSITE A LISTING OF ALL APPROVED
28 VENDORS UNDER PARAGRAPH (8).]

29 (B.1) THE [OFFICE] DEPARTMENT OF EDUCATION SHALL PROCESS AND
30 TABULATE THE DATA ON AN ANNUAL BASIS TO ASSIST SCHOOL

1 ADMINISTRATORS, THE SCHOOL SAFETY AND SECURITY COMMITTEE
2 ESTABLISHED UNDER SECTION 1302-B AND LAW ENFORCEMENT OFFICIALS
3 IN THEIR DUTIES UNDER THIS ARTICLE.

4 [(C) IN ADDITION TO THE POWERS AND DUTIES SET FORTH UNDER
5 SUBSECTION (B), THE OFFICE IS AUTHORIZED TO MAKE TARGETED GRANTS
6 TO SCHOOL ENTITIES, AND TO INTERMEDIATE UNITS ON BEHALF OF
7 NONPUBLIC SCHOOLS, TO FUND PROGRAMS WHICH ADDRESS SCHOOL
8 VIOLENCE, INCLUDING:

9 (1) CONFLICT RESOLUTION OR DISPUTE MANAGEMENT, INCLUDING
10 RESTORATIVE JUSTICE STRATEGIES.

11 (1.1) SCHOOL-WIDE POSITIVE BEHAVIOR SUPPORT THAT INCLUDES
12 PRIMARY OR UNIVERSAL, SECONDARY AND TERTIARY SUPPORTS AND
13 INTERVENTIONS IN SCHOOL ENTITIES.

14 (1.2) SCHOOL-BASED DIVERSION PROGRAMS.

15 (2) PEER HELPERS PROGRAMS.

16 (3) RISK ASSESSMENT, SAFETY-RELATED, VIOLENCE PREVENTION
17 CURRICULA, INCLUDING, BUT NOT LIMITED TO, DATING VIOLENCE
18 CURRICULA AND RESTORATIVE JUSTICE STRATEGIES.

19 (4) CLASSROOM MANAGEMENT.

20 (5) STUDENT CODES OF CONDUCT.

21 (6) TRAINING TO UNDERTAKE A DISTRICTWIDE ASSESSMENT OF RISK
22 FACTORS THAT INCREASE THE LIKELIHOOD OF PROBLEM BEHAVIORS AMONG
23 STUDENTS.

24 (7) DEVELOPMENT AND IMPLEMENTATION OF RESEARCH-BASED
25 VIOLENCE PREVENTION PROGRAMS THAT ADDRESS RISK FACTORS TO REDUCE
26 INCIDENTS OF PROBLEM BEHAVIORS AMONG STUDENTS INCLUDING, BUT NOT
27 LIMITED TO, BULLYING.

28 (8) COMPREHENSIVE, DISTRICTWIDE SCHOOL SAFETY, VIOLENCE
29 PREVENTION, EMERGENCY PREPAREDNESS AND ALL-HAZARDS PLANS,
30 INCLUDING REVISIONS OR UPDATES TO SUCH PLANS AND CONDUCTING

1 EMERGENCY PREPAREDNESS DRILLS AND RELATED ACTIVITIES WITH LOCAL
2 EMERGENCY RESPONDERS.

3 (9) SECURITY PLANNING, PURCHASE OF SECURITY-RELATED
4 TECHNOLOGY WHICH MAY INCLUDE METAL DETECTORS, PROTECTIVE
5 LIGHTING, SURVEILLANCE EQUIPMENT, SPECIAL EMERGENCY
6 COMMUNICATIONS EQUIPMENT, ELECTRONIC LOCKSETS, DEADBOLTS AND
7 THEFT CONTROL DEVICES AND TRAINING IN THE USE OF SECURITY-
8 RELATED TECHNOLOGY. SECURITY PLANNING AND PURCHASE OF SECURITY-
9 RELATED TECHNOLOGY SHALL BE BASED ON SAFETY NEEDS IDENTIFIED BY
10 THE SCHOOL ENTITY'S BOARD OF DIRECTORS.

11 (10) INSTITUTION OF STUDENT, STAFF AND VISITOR
12 IDENTIFICATION SYSTEMS, INCLUDING CRIMINAL BACKGROUND CHECK
13 SOFTWARE.

14 (12) PROVISION OF SPECIALIZED STAFF AND STUDENT TRAINING
15 PROGRAMS, INCLUDING TRAINING FOR STUDENT ASSISTANCE PROGRAM TEAM
16 MEMBERS IN ELEMENTARY, MIDDLE AND HIGH SCHOOLS IN THE REFERRAL
17 OF STUDENTS AT RISK OF VIOLENT BEHAVIOR TO APPROPRIATE
18 COMMUNITY-BASED SERVICES, INCLUDING MENTAL HEALTH SERVICES.

19 (13) ALTERNATIVE EDUCATION PROGRAMS PROVIDED FOR IN ARTICLE
20 XIX-C.

21 (14) COUNSELING SERVICES FOR STUDENTS ENROLLED IN
22 ALTERNATIVE EDUCATION PROGRAMS.

23 (15) AN INTERNET WEB-BASED SYSTEM FOR THE MANAGEMENT OF
24 STUDENT DISCIPLINE, INCLUDING MISCONDUCT AND CRIMINAL OFFENSES.

25 (16) STAFF TRAINING PROGRAMS IN THE USE OF POSITIVE BEHAVIOR
26 SUPPORTS, DE-ESCALATION TECHNIQUES AND APPROPRIATE RESPONSES TO
27 STUDENT BEHAVIOR THAT MAY REQUIRE IMMEDIATE INTERVENTION.

28 (17) THE IMPLEMENTATION OF ARTICLE XIII-E.

29 (C.1) (1) IN ADDITION TO THE POWERS AND DUTIES SET FORTH
30 UNDER SUBSECTIONS (B) AND (C), THE OFFICE IS AUTHORIZED TO MAKE

1 TARGETED GRANTS TO SCHOOL ENTITIES, MUNICIPALITIES, LOCAL LAW
2 ENFORCEMENT AGENCIES AND APPROVED VENDORS TO FUND PROGRAMS WHICH
3 ADDRESS SCHOOL VIOLENCE BY ESTABLISHING OR ENHANCING SCHOOL
4 SECURITY, INCLUDING COSTS ASSOCIATED WITH THE TRAINING AND
5 COMPENSATION OF SCHOOL RESOURCE OFFICERS AND SCHOOL POLICE
6 OFFICERS. MUNICIPALITIES OR LOCAL LAW ENFORCEMENT AGENCIES THAT
7 RECEIVE GRANTS UNDER THIS SUBSECTION SHALL, WITH THE PRIOR
8 CONSENT OF THE GOVERNING BOARD OF THE SCHOOL ENTITY OR NONPUBLIC
9 SCHOOL, ASSIGN SCHOOL RESOURCE OFFICERS TO CARRY OUT THEIR
10 OFFICIAL DUTIES ON THE PREMISES OF THE SCHOOL ENTITY OR
11 NONPUBLIC SCHOOL.

12 (2) MUNICIPALITIES OR LOCAL LAW ENFORCEMENT AGENCIES MAY NOT
13 RECEIVE GRANT FUNDS UNDER THIS SUBSECTION FOR ANY PURPOSE OTHER
14 THAN FOR COSTS ASSOCIATED WITH SCHOOL RESOURCE OFFICERS AND ARE
15 NOT ELIGIBLE FOR OTHER GRANTS PROVIDED TO SCHOOL ENTITIES UNDER
16 THIS SECTION. IN ASSIGNING SCHOOL RESOURCE OFFICERS PURSUANT TO
17 THIS SUBSECTION, MUNICIPALITIES SHALL TAKE INTO CONSIDERATION
18 THE PROPORTION OF STUDENTS ENROLLED IN EACH SCHOOL ENTITY OR
19 NONPUBLIC SCHOOL.

20 (3) NONPUBLIC SCHOOLS ARE AUTHORIZED TO APPLY TO THE OFFICE
21 FOR GRANT FUNDING UNDER PARAGRAPH (1) TO BE USED FOR THE COSTS
22 ASSOCIATED WITH OBTAINING THE SERVICES OF A SCHOOL POLICE
23 OFFICER FROM A LIST OF APPROVED VENDORS CERTIFIED BY THE OFFICE.
24 GRANT AWARDS FOR THIS PURPOSE SHALL BE AWARDED AND PAID DIRECTLY
25 TO THE APPROVED VENDOR WITH WHICH THE NONPUBLIC SCHOOL CONTRACTS
26 FOR SERVICES. NONPUBLIC SCHOOLS MAY NOT APPLY FOR GRANT FUNDING
27 UNDER THIS SECTION FOR ANY PURPOSE OTHER THAN OBTAINING THE
28 SERVICES OF A SCHOOL POLICE OFFICER UNDER THIS PARAGRAPH.

29 (D) THE OFFICE SHALL HAVE THE FOLLOWING DUTIES AS TO
30 TARGETED GRANTS:

1 (1) TARGETED GRANTS SHALL BE ALLOCATED THROUGH A COMPETITIVE
2 GRANT REVIEW PROCESS ESTABLISHED BY THE OFFICE. SCHOOL ENTITIES
3 MUST SATISFY THE REQUIREMENTS OF THIS SECTION AND SECTION 1303-A
4 TO BE ELIGIBLE FOR GRANTS. THE APPLICATION FOR A TARGETED GRANT
5 SHALL INCLUDE:

6 (I) THE PURPOSE FOR WHICH THE TARGETED GRANT SHALL BE
7 UTILIZED;

8 (II) INFORMATION INDICATING NEED FOR THE TARGETED GRANT,
9 INCLUDING, BUT NOT LIMITED TO, SCHOOL VIOLENCE STATISTICS;

10 (III) AN ESTIMATED BUDGET;

11 (IV) METHODS FOR MEASURING OUTCOMES; AND

12 (V) ANY OTHER CRITERIA AS THE OFFICE MAY REQUIRE.

13 (2) THE OFFICE SHALL:

14 (I) GIVE PRIORITY IN GRANT FUNDING UNDER SUBSECTION (C) TO A
15 SCHOOL ENTITY DESIGNATED AS A PERSISTENTLY DANGEROUS SCHOOL AS
16 DEFINED IN 22 PA. CODE § 403.2 (RELATING TO DEFINITIONS).

17 (II) GIVE PRIORITY IN GRANT FUNDING UNDER SUBSECTION (C) TO
18 SCHOOL ENTITIES WITH THE GREATEST NEED TO ESTABLISH SAFETY AND
19 ORDER.

20 (III) TO THE GREATEST EXTENT POSSIBLE, ENSURE THAT GRANT
21 FUNDING IS GEOGRAPHICALLY DISPERSED TO SCHOOL ENTITIES AND
22 MUNICIPALITIES THROUGHOUT THIS COMMONWEALTH.

23 (IV) FOR SCHOOL ENTITIES, MUNICIPALITIES, LOCAL LAW
24 ENFORCEMENT AGENCIES AND NONPUBLIC SCHOOLS THAT APPLY FOR
25 FUNDING FOR THE TRAINING AND COMPENSATION OF SCHOOL RESOURCE
26 OFFICERS AND SCHOOL POLICE OFFICERS UNDER SUBSECTION (C.1), GIVE
27 PRIORITY TO SCHOOL ENTITIES, MUNICIPALITIES, LOCAL LAW
28 ENFORCEMENT AGENCIES AND NONPUBLIC SCHOOLS THAT UTILIZE SCHOOL
29 RESOURCE OFFICERS OR SCHOOL POLICE OFFICERS WHO HAVE COMPLETED
30 ADDITIONAL TRAINING RECOMMENDED BY THE DEPARTMENT OF EDUCATION

1 RELATING TO INTERACTION WITH ALL CHILDREN AND ADOLESCENTS WITHIN
2 A SCHOOL SETTING.

3 (V) FOR SCHOOL ENTITIES OR NONPUBLIC SCHOOLS THAT APPLY FOR
4 FUNDING FOR SCHOOL POLICE OFFICERS UNDER SUBSECTION (C.1), GIVE
5 PRIORITY TO SCHOOL ENTITIES AND NONPUBLIC SCHOOLS THAT UTILIZE
6 SCHOOL POLICE OFFICERS WHO SATISFY ALL OF THE FOLLOWING:

7 (A) ARE RETIRED FEDERAL AGENTS OR RETIRED STATE, MUNICIPAL
8 OR MILITARY POLICE OFFICERS.

9 (B) ARE INDEPENDENT CONTRACTORS OF THE SCHOOL ENTITY OR
10 NONPUBLIC SCHOOL.

11 (C) ARE COMPENSATED ON AN HOURLY BASIS AND RECEIVE NO OTHER
12 COMPENSATION OR FRINGE BENEFITS FROM THE SCHOOL ENTITY OR
13 NONPUBLIC SCHOOL.

14 (D) HAVE COMPLETED SUCH ANNUAL TRAINING AS SHALL BE REQUIRED
15 BY THE MUNICIPAL POLICE OFFICERS' EDUCATION AND TRAINING
16 COMMISSION PURSUANT TO 53 PA.C.S. CH. 21 SUBCH. D (RELATING TO
17 MUNICIPAL POLICE EDUCATION AND TRAINING).

18 (E) ARE IN SATISFACTION OF THE REQUIREMENTS OF SECTION 111.

19 (F) IN THE CASE OF A SCHOOL ENTITY, HAVE BEEN INDEMNIFIED BY
20 THE SCHOOL ENTITY PURSUANT TO 42 PA.C.S. § 8548 (RELATING TO
21 INDEMNITY).

22 (G) ARE UTILIZED BY A SCHOOL ENTITY OR NONPUBLIC SCHOOL THAT
23 HAS NOT EMPLOYED A SCHOOL POLICE OFFICER WITHIN THE THREE YEARS
24 IMMEDIATELY PRECEDING THE EFFECTIVE DATE OF THIS CLAUSE.

25 NOTHING IN THIS CLAUSE SHALL BE CONSTRUED TO IMPACT ON GRANT
26 DECISIONS FOR SCHOOL ENTITIES, MUNICIPALITIES OR LOCAL LAW
27 ENFORCEMENT AGENCIES THAT APPLY FOR FUNDING FOR HIRING OF SCHOOL
28 RESOURCE OFFICERS PURSUANT TO SUBSECTION (C.1).

29 (3) THE OFFICE SHALL PROVIDE ALL TARGETED GRANT AGREEMENTS
30 TO THE DEPARTMENT OF EDUCATION'S COMPTROLLER FOR REVIEW AND

1 APPROVAL PRIOR TO AWARDING THE GRANT. THE SCHOOL ENTITY,
2 MUNICIPALITY, LOCAL LAW ENFORCEMENT AGENCY OR APPROVED VENDOR
3 SHALL PROVIDE THE OFFICE WITH FULL AND COMPLETE ACCESS TO ALL
4 RECORDS RELATING TO THE PERFORMANCE OF THE GRANT, AND SHALL
5 SUBMIT, AT SUCH TIME AND IN SUCH FORM AS MAY BE PRESCRIBED,
6 TRUTHFUL AND ACCURATE INFORMATION THAT THE OFFICE MAY REQUIRE.
7 THE OFFICE SHALL CONDUCT A THOROUGH ANNUAL EVALUATION OF EACH
8 PROGRAM FOR WHICH A GRANT UNDER THIS SECTION IS MADE. THE OFFICE
9 SHALL SEEK REPAYMENT OF FUNDS IF IT DETERMINES THAT FUNDS WERE
10 NOT UTILIZED FOR THE ORIGINAL STATED PURPOSE.

11 (E) FOR ANY FISCAL YEAR PRIOR TO 2019-2020, THE SUM
12 APPROPRIATED ANNUALLY TO THE DEPARTMENT OF EDUCATION FOR THE
13 PURPOSE OF MAKING TARGETED GRANTS UNDER THIS SECTION SHALL BE
14 ALLOCATED AS FOLLOWS:

15 (1) TWENTY-FIVE PERCENT OF THE SUM SHALL BE ALLOCATED FOR
16 GRANTS UNDER SUBSECTION (C).

17 (2) SEVENTY-FIVE PERCENT OF THE SUM SHALL BE ALLOCATED FOR
18 GRANTS UNDER SUBSECTION (C.1).

19 (E.1) ANY GRANT FUNDING ALLOCATED UNDER SUBSECTION (C.1)
20 ABOVE THE AMOUNT ALLOCATED IN FISCAL YEAR 2017-2018 MAY BE
21 PRIORITIZED FOR NONPUBLIC SCHOOLS.

22 (E.2) BEGINNING IN FISCAL YEAR 2019-2020, GRANTS AWARDED
23 UNDER SUBSECTION (C.1) SHALL NOT EXCEED THE AMOUNT AWARDED IN
24 FISCAL YEAR 2018-2019 UNDER THAT SUBSECTION AND NO LESS THAN
25 \$3,200,000 SHALL BE AWARDED TO INTERMEDIATE UNITS ON BEHALF OF
26 NONPUBLIC SCHOOLS UNDER SUBSECTION (C).

27 (F) AS USED IN THIS SECTION, "SCHOOL ENTITY" SHALL HAVE THE
28 SAME MEANING GIVEN TO IT UNDER SECTION 222(C).]

29 SECTION 12. SECTIONS 1302.1-A AND 1303-A OF THE ACT ARE
30 REPEALED:

1 [SECTION 1302.1-A. REGULATIONS.--(A) WITHIN ONE YEAR OF THE
2 EFFECTIVE DATE OF THIS SECTION, THE STATE BOARD OF EDUCATION
3 SHALL PROMULGATE FINAL-OMITTED REGULATIONS PURSUANT TO THE ACT
4 OF JUNE 25, 1982 (P.L.633, NO.181), KNOWN AS THE "REGULATORY
5 REVIEW ACT," NECESSARY TO IMPLEMENT THIS ARTICLE. THE
6 REGULATIONS SHALL INCLUDE THE FOLLOWING:

7 (1) A MODEL MEMORANDUM OF UNDERSTANDING BETWEEN SCHOOL
8 ENTITIES AND LOCAL POLICE DEPARTMENTS. THE MODEL MEMORANDUM OF
9 UNDERSTANDING SHALL BE REVIEWED ON A BIENNIAL BASIS AND REVISED
10 WHERE NECESSARY. THE STATE BOARD OF EDUCATION MAY REVISE THE
11 MODEL MEMORANDUM OF UNDERSTANDING BY PUBLISHING A NOTICE IN THE
12 PENNSYLVANIA BULLETIN THAT CONTAINS THE COMPLETE REVISED MODEL
13 MEMORANDUM OF UNDERSTANDING. THE REVISED MODEL MEMORANDUM OF
14 UNDERSTANDING SHALL BE INCORPORATED INTO THE PENNSYLVANIA CODE
15 IN PLACE OF THE EXISTING MODEL MEMORANDUM OF UNDERSTANDING.

16 (2) PROTOCOL FOR THE NOTIFICATION OF THE POLICE DEPARTMENT
17 WHEN AN OFFENSE LISTED UNDER SECTION 1303-A(B) (4.1) OCCURS ON
18 SCHOOL PROPERTY, WHICH SHALL INCLUDE A REQUIREMENT THAT THE
19 LOCAL POLICE DEPARTMENT BE NOTIFIED IMMEDIATELY WHEN SUCH AN
20 OFFENSE OCCURS.

21 (3) PROTOCOL FOR THE NOTIFICATION OF THE POLICE DEPARTMENT
22 AT THE DISCRETION OF THE CHIEF SCHOOL ADMINISTRATOR REGARDING AN
23 OFFENSE LISTED UNDER SECTION 1303-A(B) (4.2) OR ANY OTHER OFFENSE
24 THAT OCCURS ON SCHOOL PROPERTY.

25 (4) PROTOCOL FOR EMERGENCY AND NONEMERGENCY RESPONSE BY THE
26 POLICE DEPARTMENT, WHICH SHALL INCLUDE A REQUIREMENT THAT THE
27 SCHOOL DISTRICT SHALL SUPPLY THE POLICE DEPARTMENT WITH A COPY
28 OF THE COMPREHENSIVE DISASTER RESPONSE AND EMERGENCY
29 PREPAREDNESS PLAN AS REQUIRED BY 35 PA.C.S. § 7701(G) (RELATING
30 TO DUTIES CONCERNING DISASTER PREVENTION).

1 (5) PROCEDURES AND PROTOCOLS FOR THE RESPONSE AND HANDLING
2 OF STUDENTS WITH A DISABILITY, INCLUDING PROCEDURES RELATED TO
3 STUDENT BEHAVIOR AS REQUIRED BY 22 PA. CODE §§ 14.104 (RELATING
4 TO SPECIAL EDUCATION PLANS) AND 14.133 (RELATING TO POSITIVE
5 BEHAVIOR SUPPORT).

6 (B) (1) IN PROMULGATING THE REGULATIONS REQUIRED UNDER
7 SUBSECTION (A), THE STATE BOARD OF EDUCATION SHALL CONVENE AND
8 CONSULT WITH A STATEWIDE ADVISORY COMMITTEE WHICH SHALL INCLUDE
9 A POLICE CHIEF, JUVENILE PUBLIC DEFENDER, SCHOOL SUPERINTENDENT,
10 SCHOOL PRINCIPAL, DISTRICT ATTORNEY, SOLICITOR OF A SCHOOL
11 DISTRICT, SPECIAL EDUCATION SUPERVISOR, SPECIAL EDUCATION
12 ADVOCATE AND IN-SCHOOL PROBATION OFFICER AND ONE DESIGNEE FROM
13 THE DEPARTMENT OF EDUCATION, THE PENNSYLVANIA COMMISSION ON
14 CRIME AND DELINQUENCY, THE MUNICIPAL POLICE OFFICERS' EDUCATION
15 AND TRAINING COMMISSION, THE JUVENILE COURT JUDGES' COMMISSION
16 AND THE PENNSYLVANIA STATE POLICE.

17 (2) MEMBERS OF THE COMMITTEE SHALL BE SELECTED TO BE
18 REPRESENTATIVE OF THE RURAL, SUBURBAN AND URBAN SCHOOL ENTITIES
19 OF THIS COMMONWEALTH.

20 (3) THE ADVISORY COMMITTEE SHALL BE CONVENED NO LATER THAN
21 SIXTY (60) DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION AND
22 SHALL MEET REGULARLY TO FULFILL THE REQUIREMENTS OF THIS
23 SECTION.

24 SECTION 1303-A. REPORTING.--(A) THE OFFICE SHALL CONDUCT A
25 ONE-TIME SURVEY OF ALL SCHOOL ENTITIES TO DETERMINE THE NUMBER
26 OF INCIDENTS INVOLVING ACTS OF VIOLENCE ON SCHOOL PROPERTY AND
27 ALL CASES INVOLVING POSSESSION OF A WEAPON BY ANY PERSON ON
28 SCHOOL PROPERTY WHICH OCCURRED WITHIN THE LAST FIVE (5) YEARS.
29 THE SURVEY SHALL BE BASED ON THE BEST AVAILABLE INFORMATION
30 PROVIDED BY SCHOOL ENTITIES.

1 (B) EACH CHIEF SCHOOL ADMINISTRATOR SHALL REPORT TO THE
2 OFFICE BY JULY 31 OF EACH YEAR ALL NEW INCIDENTS INVOLVING ACTS
3 OF VIOLENCE, POSSESSION OF A WEAPON OR POSSESSION, USE OR SALE
4 OF CONTROLLED SUBSTANCES AS DEFINED IN THE ACT OF APRIL 14, 1972
5 (P.L.233, NO.64), KNOWN AS "THE CONTROLLED SUBSTANCE, DRUG,
6 DEVICE AND COSMETIC ACT," OR POSSESSION, USE OR SALE OF ALCOHOL
7 OR TOBACCO BY ANY PERSON ON SCHOOL PROPERTY. THE INCIDENTS TO BE
8 REPORTED TO THE OFFICE SHALL INCLUDE ALL INCIDENTS INVOLVING
9 CONDUCT THAT CONSTITUTES A CRIMINAL OFFENSE LISTED UNDER
10 PARAGRAPHS (4.1) AND (4.2). REPORTS ON A FORM TO BE DEVELOPED
11 AND PROVIDED BY THE OFFICE SHALL INCLUDE:

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 (5) NOTIFICATION OF LAW ENFORCEMENT.

23 (6) REMEDIAL PROGRAMS INVOLVED.

24 (7) PARENTAL INVOLVEMENT REQUIRED.

25 (8) ARRESTS, CONVICTIONS AND ADJUDICATIONS, IF KNOWN.

26 (B.1) PRIOR TO SUBMITTING THE REPORT REQUIRED UNDER
27 SUBSECTION (B), EACH CHIEF SCHOOL ADMINISTRATOR AND EACH POLICE
28 DEPARTMENT HAVING JURISDICTION OVER SCHOOL PROPERTY OF THE
29 SCHOOL ENTITY SHALL DO ALL OF THE FOLLOWING:

30 (1) NO LATER THAN THIRTY (30) DAYS PRIOR TO THE DEADLINE FOR

1 SUBMITTING THE REPORT TO THE OFFICE REQUIRED UNDER SUBSECTION
2 (B), THE CHIEF SCHOOL ADMINISTRATOR SHALL SUBMIT THE REPORT TO
3 THE POLICE DEPARTMENT WITH JURISDICTION OVER THE RELEVANT SCHOOL
4 PROPERTY. THE POLICE DEPARTMENT SHALL REVIEW THE REPORT AND
5 COMPARE THE DATA REGARDING CRIMINAL OFFENSES AND NOTIFICATION OF
6 LAW ENFORCEMENT TO DETERMINE WHETHER THE REPORT ACCURATELY
7 REFLECTS POLICE INCIDENT DATA.

8 (2) NO LATER THAN FIFTEEN (15) DAYS PRIOR TO THE DEADLINE
9 FOR THE CHIEF SCHOOL ADMINISTRATOR TO SUBMIT THE REPORT REQUIRED
10 UNDER SUBSECTION (B), THE POLICE DEPARTMENT SHALL NOTIFY THE
11 CHIEF SCHOOL ADMINISTRATOR, IN WRITING, WHETHER THE REPORT
12 ACCURATELY REFLECTS POLICE INCIDENT DATA. WHERE THE POLICE
13 DEPARTMENT DETERMINES THAT THE REPORT ACCURATELY REFLECTS POLICE
14 INCIDENT DATA, THE CHIEF OF POLICE SHALL SIGN THE REPORT. WHERE
15 THE POLICE DEPARTMENT DETERMINES THAT THE REPORT DOES NOT
16 ACCURATELY REFLECT POLICE INCIDENT DATA, THE POLICE DEPARTMENT
17 SHALL INDICATE ANY DISCREPANCIES BETWEEN THE REPORT AND POLICE
18 INCIDENT DATA.

19 (3) PRIOR TO SUBMITTING THE REPORT REQUIRED UNDER SUBSECTION
20 (B), THE CHIEF SCHOOL ADMINISTRATOR AND THE POLICE DEPARTMENT
21 SHALL ATTEMPT TO RESOLVE DISCREPANCIES BETWEEN THE REPORT AND
22 POLICE INCIDENT DATA. WHERE A DISCREPANCY REMAINS UNRESOLVED,
23 THE POLICE DEPARTMENT SHALL NOTIFY THE CHIEF SCHOOL
24 ADMINISTRATOR AND THE OFFICE IN WRITING.

25 (4) WHERE A POLICE DEPARTMENT FAILS TO TAKE ACTION AS
26 REQUIRED UNDER PARAGRAPH (2) OR (3), THE CHIEF SCHOOL
27 ADMINISTRATOR SHALL SUBMIT THE REPORT REQUIRED UNDER SUBSECTION
28 (B) AND INDICATE THAT THE POLICE DEPARTMENT FAILED TO TAKE
29 ACTION AS REQUIRED UNDER PARAGRAPH (2) OR (3).

30 (C) EACH CHIEF SCHOOL ADMINISTRATOR SHALL FORM AN ADVISORY

1 COMMITTEE COMPOSED OF RELEVANT SCHOOL STAFF, INCLUDING, BUT NOT
2 LIMITED TO, PRINCIPALS, SECURITY PERSONNEL, SCHOOL RESOURCE
3 OFFICERS, GUIDANCE COUNSELORS AND SPECIAL EDUCATION
4 ADMINISTRATORS, TO ASSIST IN THE DEVELOPMENT OF A MEMORANDUM OF
5 UNDERSTANDING PURSUANT TO THIS SECTION. IN CONSULTATION WITH THE
6 ADVISORY COMMITTEE, EACH CHIEF SCHOOL ADMINISTRATOR SHALL ENTER
7 INTO A MEMORANDUM OF UNDERSTANDING WITH POLICE DEPARTMENTS
8 HAVING JURISDICTION OVER SCHOOL PROPERTY OF THE SCHOOL ENTITY.
9 EACH CHIEF SCHOOL ADMINISTRATOR SHALL SUBMIT A COPY OF THE
10 MEMORANDUM OF UNDERSTANDING TO THE OFFICE BY JUNE 30, 2011, AND
11 BIENNIALLY UPDATE AND RE-EXECUTE A MEMORANDUM OF UNDERSTANDING
12 WITH LOCAL LAW ENFORCEMENT AND FILE SUCH MEMORANDUM WITH THE
13 OFFICE ON A BIENNIAL BASIS. THE MEMORANDUM OF UNDERSTANDING
14 SHALL BE SIGNED BY THE CHIEF SCHOOL ADMINISTRATOR, THE CHIEF OF
15 POLICE OF THE POLICE DEPARTMENT WITH JURISDICTION OVER THE
16 RELEVANT SCHOOL PROPERTY AND PRINCIPALS OF EACH SCHOOL BUILDING
17 OF THE SCHOOL ENTITY. THE MEMORANDUM OF UNDERSTANDING SHALL
18 COMPLY WITH THE REGULATIONS PROMULGATED BY THE STATE BOARD OF
19 EDUCATION UNDER SECTION 1302.1-A AND SHALL ALSO INCLUDE:

20 (1) THE PROCEDURE FOR POLICE DEPARTMENT REVIEW OF THE ANNUAL
21 REPORT REQUIRED UNDER SUBSECTION (B) PRIOR TO THE CHIEF SCHOOL
22 ADMINISTRATOR FILING THE REPORT REQUIRED UNDER SUBSECTION (B)
23 WITH THE OFFICE.

24 (2) A PROCEDURE FOR THE RESOLUTION OF SCHOOL VIOLENCE DATA
25 DISCREPANCIES IN THE REPORT PRIOR TO FILING THE REPORT REQUIRED
26 UNDER SUBSECTION (B) WITH THE OFFICE.

27 (3) ADDITIONAL MATTERS PERTAINING TO CRIME PREVENTION AGREED
28 TO BETWEEN THE CHIEF SCHOOL ADMINISTRATOR AND THE POLICE
29 DEPARTMENT.

30 (D) PURSUANT TO SECTION 615 OF THE INDIVIDUALS WITH

1 DISABILITIES EDUCATION ACT (PUBLIC LAW 91-230, 20 U.S.C. §
2 1415(K)(6)), NOTHING IN SECTION 1302.1-A OR THIS SECTION SHALL
3 BE CONSTRUED TO PROHIBIT A SCHOOL ENTITY FROM REPORTING A CRIME
4 COMMITTED BY A CHILD WITH A DISABILITY TO APPROPRIATE
5 AUTHORITIES OR TO PREVENT STATE LAW ENFORCEMENT AND JUDICIAL
6 AUTHORITIES FROM EXERCISING THEIR RESPONSIBILITIES WITH REGARD
7 TO THE APPLICATION OF FEDERAL AND STATE LAW TO CRIMES COMMITTED
8 BY A CHILD WITH A DISABILITY.

9 (E) (1) NOTWITHSTANDING ANY PROVISION OF LAW TO THE
10 CONTRARY, THE DEPARTMENT OF EDUCATION MAY INITIATE DISCIPLINARY
11 ACTION BEFORE THE PROFESSIONAL STANDARDS AND PRACTICES
12 COMMISSION PURSUANT TO THE ACT OF DECEMBER 12, 1973 (P.L.397,
13 NO.141), KNOWN AS THE "PROFESSIONAL EDUCATOR DISCIPLINE ACT,"
14 AGAINST A CHIEF SCHOOL ADMINISTRATOR OR PRINCIPAL OF A SCHOOL
15 ENTITY WHO INTENTIONALLY FAILS TO SUBMIT THE REPORT AS REQUIRED
16 UNDER SUBSECTION (B) OR ENTER INTO THE MEMORANDUM OF
17 UNDERSTANDING WITH THE POLICE DEPARTMENT WITH JURISDICTION OVER
18 THE RELEVANT SCHOOL PROPERTY, REPORT AN INCIDENT INVOLVING AN
19 ACT OF VIOLENCE, POSSESSION OF A WEAPON OR AN OFFENSE LISTED
20 UNDER SUBSECTION (B)(4.1) THAT OCCURS ON SCHOOL PROPERTY TO A
21 POLICE DEPARTMENT OR SUBMIT A COPY OF THE MEMORANDUM OF
22 UNDERSTANDING TO THE OFFICE AS REQUIRED UNDER SUBSECTION (C) OR
23 WHO INTENTIONALLY FALSIFIES A REPORT SUBMITTED AS REQUIRED UNDER
24 THIS SECTION.

25 (2) IN ADDITION TO ANY OTHER DISCIPLINARY ACTIONS SET FORTH
26 IN THE "PROFESSIONAL EDUCATOR DISCIPLINE ACT," A CHIEF SCHOOL
27 ADMINISTRATOR OR PRINCIPAL OF A SCHOOL ENTITY WHO INTENTIONALLY
28 FAILS TO SUBMIT THE REPORT AS REQUIRED UNDER SUBSECTION (B) OR
29 ENTER INTO THE MEMORANDUM OF UNDERSTANDING WITH THE POLICE
30 DEPARTMENT WITH JURISDICTION OVER THE RELEVANT SCHOOL PROPERTY,

1 REPORT AN INCIDENT INVOLVING AN ACT OF VIOLENCE, POSSESSION OF A
2 WEAPON OR AN OFFENSE CITED UNDER SUBSECTION (B) (4.1) THAT OCCURS
3 ON SCHOOL PROPERTY TO A POLICE DEPARTMENT OR SUBMIT A COPY OF
4 THE MEMORANDUM OF UNDERSTANDING TO THE OFFICE AS REQUIRED UNDER
5 SUBSECTION (C) OR WHO INTENTIONALLY FALSIFIES A REPORT SUBMITTED
6 AS REQUIRED UNDER THIS SECTION SHALL BE SUBJECT TO PROSECUTION
7 FOR VIOLATION OF 18 PA.C.S. § 4904 (RELATING TO UNSWORN
8 FALSIFICATION TO AUTHORITIES). THE FOLLOWING CIVIL PENALTIES MAY
9 BE IMPOSED BY THE PROFESSIONAL STANDARDS AND PRACTICES
10 COMMISSION FOR VIOLATIONS OF THIS ARTICLE:

11 (I) FOR A FIRST VIOLATION, \$2,500;

12 (II) FOR A SECOND VIOLATION, \$3,500; OR

13 (III) FOR A THIRD OR SUBSEQUENT VIOLATION, \$5,000.

14 ANY PENALTY IMPOSED UNDER THIS PARAGRAPH SHALL BE PAID TO THE
15 DEPARTMENT OF EDUCATION AND USED FOR THE SUPPORT OF THE OFFICE.]

16 SECTION 13. SECTIONS 1303.1-A(C) AND (D) AND 1307-A OF THE
17 ACT ARE AMENDED TO READ:

18 SECTION 1303.1-A. POLICY RELATING TO BULLYING.--* * *

19 (C) EACH SCHOOL ENTITY SHALL REVIEW ITS POLICY EVERY THREE

20 (3) YEARS AND ANNUALLY PROVIDE THE [OFFICE] DEPARTMENT OF

21 EDUCATION WITH A COPY OF ITS POLICY RELATING TO BULLYING,

22 INCLUDING INFORMATION RELATED TO THE DEVELOPMENT AND

23 IMPLEMENTATION OF ANY BULLYING PREVENTION, INTERVENTION AND

24 EDUCATION PROGRAMS. THE INFORMATION REQUIRED UNDER THIS

25 SUBSECTION SHALL BE ATTACHED TO OR MADE PART OF THE ANNUAL

26 REPORT REQUIRED UNDER SECTION [1303-A(B)] 1319-B(B).

27 (D) IN ITS POLICY RELATING TO BULLYING ADOPTED OR MAINTAINED

28 UNDER SUBSECTION (A), A SCHOOL ENTITY SHALL NOT BE PROHIBITED

29 FROM DEFINING BULLYING IN SUCH A WAY AS TO ENCOMPASS ACTS THAT

30 OCCUR OUTSIDE A SCHOOL SETTING IF THOSE ACTS MEET THE

1 REQUIREMENTS CONTAINED IN SUBSECTION (E) (1), (3) AND (4). IF A
2 SCHOOL ENTITY REPORTS ACTS OF BULLYING TO THE [OFFICE]
3 DEPARTMENT OF EDUCATION IN ACCORDANCE WITH SECTION [1303-A(B)]
4 1319-B(B), IT SHALL REPORT ALL INCIDENTS THAT QUALIFY AS
5 BULLYING UNDER THE ENTITY'S ADOPTED DEFINITION OF THAT TERM.

6 * * *

7 SECTION 1307-A. MAINTENANCE OF RECORDS.--ALL SCHOOL ENTITIES
8 AND PRIVATE SCHOOLS WITHIN THIS COMMONWEALTH SHALL MAINTAIN
9 UPDATED RECORDS OF ALL INCIDENTS OF VIOLENCE, INCIDENTS
10 INVOLVING POSSESSION OF A WEAPON AND CONVICTIONS OR
11 ADJUDICATIONS OF DELINQUENCY FOR ACTS COMMITTED ON SCHOOL
12 PROPERTY BY STUDENTS ENROLLED THEREIN ON BOTH A DISTRICT-WIDE
13 AND SCHOOL-BY-SCHOOL BASIS. RECORDS MAINTAINED UNDER THIS
14 SECTION SHALL BE CONTAINED IN A FORMAT DEVELOPED BY THE
15 PENNSYLVANIA STATE POLICE IN COOPERATION WITH THE [OFFICE WITHIN
16 NINETY (90) DAYS OF THE EFFECTIVE DATE OF THIS SECTION]
17 DEPARTMENT OF EDUCATION. A STATISTICAL SUMMARY OF THESE RECORDS
18 SHALL BE MADE ACCESSIBLE TO THE PUBLIC FOR EXAMINATION BY THE
19 PUBLIC DURING REGULAR BUSINESS HOURS.

20 SECTION 14. SECTIONS 1310-A, 1311-A, 1312-A AND 1313-A OF
21 THE ACT ARE REPEALED:

22 [SECTION 1310-A. SAFE SCHOOLS ADVOCATE IN SCHOOL DISTRICTS
23 OF THE FIRST CLASS.--(A) THE EXECUTIVE DIRECTOR OF THE
24 PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY SHALL
25 ESTABLISH, WITHIN THE COMMISSION, A SAFE SCHOOLS ADVOCATE FOR
26 EACH SCHOOL DISTRICT OF THE FIRST CLASS. THE ADVOCATE SHALL NOT
27 BE SUBJECT TO THE ACT OF AUGUST 5, 1941 (P.L.752, NO.286), KNOWN
28 AS THE "CIVIL SERVICE ACT." THE ADVOCATE SHALL ESTABLISH AND
29 MAINTAIN AN OFFICE WITHIN THE SCHOOL DISTRICT.

30 (B) THE SAFE SCHOOLS ADVOCATE SHALL HAVE THE POWER AND ITS

1 DUTIES SHALL BE:

2 (1) TO MONITOR THE SCHOOL DISTRICT'S COMPLIANCE WITH THIS
3 ARTICLE, INCLUDING:

4 (I) THE SCHOOL DISTRICT'S REPORTING TO THE OFFICE OF
5 INCIDENTS INVOLVING ACTS OF VIOLENCE, POSSESSION OF A WEAPON OR
6 POSSESSION, USE OR SALE OF CONTROLLED SUBSTANCES AS DEFINED IN
7 THE ACT OF APRIL 14, 1972 (P.L.233, NO.64), KNOWN AS "THE
8 CONTROLLED SUBSTANCE, DRUG, DEVICE AND COSMETIC ACT," OR
9 POSSESSION, USE OR SALE OF ALCOHOL OR TOBACCO BY ANY PERSON ON
10 SCHOOL PROPERTY;

11 (II) OBTAINING COPIES OF THE SCHOOL DISTRICT'S REPORTS TO
12 THE OFFICE AND REVIEWING AND ANALYZING THEM;

13 (III) THE SCHOOL DISTRICT'S COMPLIANCE WITH THE PROCEDURES
14 SET FORTH IN THE MEMORANDUM OF UNDERSTANDING WITH THE
15 APPROPRIATE POLICE DEPARTMENT REGARDING INCIDENTS INVOLVING ACTS
16 OF VIOLENCE AND POSSESSION OF WEAPONS; AND

17 (IV) OBTAINING DOCUMENTATION, ON A WEEKLY BASIS DURING THOSE
18 TIMES WHEN SCHOOL IS IN SESSION, OF ALL WRITTEN OR VERBAL
19 CONTACTS BY SCHOOL DISTRICT PERSONNEL WITH THE APPROPRIATE
20 POLICE DEPARTMENT CONSISTENT WITH THE REQUIREMENTS OF THE
21 MEMORANDUM OF UNDERSTANDING.

22 (2) TO MONITOR THE SCHOOL DISTRICT'S COMPLIANCE WITH THE
23 MANDATORY EXPULSION REQUIREMENTS OF SECTIONS 1317.2 AND 1318.1.

24 (3) TO RECEIVE INQUIRIES FROM SCHOOL STAFF AND PARENTS OR
25 GUARDIANS OF STUDENTS WHO ARE VICTIMS OF ACTS OF VIOLENCE ON
26 SCHOOL PROPERTY.

27 (4) TO ESTABLISH A PROTOCOL, IN CONSULTATION WITH THE
28 JUVENILE COURT JUDGES' COMMISSION, TO ASSURE TIMELY RECEIPT BY
29 THE SCHOOL DISTRICT OF INFORMATION REGARDING STUDENTS WHO HAVE
30 BEEN ADJUDICATED DELINQUENT PURSUANT TO 42 PA.C.S. § 6341(B.1)

1 (RELATING TO ADJUDICATION) AND TO MONITOR THE SCHOOL DISTRICT'S
2 USE OF THAT INFORMATION TO ENSURE THAT VICTIMS OF ACTS OF
3 VIOLENCE BY A STUDENT ARE PROTECTED.

4 (5) TO ESTABLISH A PROGRAM TO ASSURE EXTENSIVE AND
5 CONTINUING PUBLIC AWARENESS OF INFORMATION REGARDING THE ROLE OF
6 THE ADVOCATE ON BEHALF OF VICTIMS OF ACTS OF VIOLENCE ON SCHOOL
7 PROPERTY, WHICH MAY INCLUDE THE MAILING OF INFORMATION TO THE
8 PARENTS OR GUARDIANS OF STUDENTS IN THE SCHOOL DISTRICT OR OTHER
9 FORMS OF COMMUNICATION.

10 (6) TO REVIEW AND ANALYZE FEDERAL AND STATE STATUTES WHICH
11 MAY BE AN IMPEDIMENT TO SCHOOL SAFETY AND THE IMPOSITION OF
12 DISCIPLINE FOR THE COMMISSION OF ACTS OF VIOLENCE ON SCHOOL
13 PROPERTY AND TO PREPARE, BY APRIL 30, 2001, AND AS NECESSARY
14 FROM TIME TO TIME THEREAFTER, REPORTS MAKING RECOMMENDATIONS FOR
15 CHANGES TO THE STATUTES WHICH WOULD PROMOTE SCHOOL SAFETY AND
16 FACILITATE EFFECTIVE AND EXPEDIENT DISCIPLINARY ACTION. THE
17 REPORTS SHALL BE SUBMITTED TO THE SECRETARY AND THE EXECUTIVE
18 DIRECTOR OF THE PENNSYLVANIA COMMISSION ON CRIME AND
19 DELINQUENCY.

20 (7) TO REVIEW AND ANALYZE COURT DECISIONS APPLICABLE TO THE
21 SCHOOL DISTRICT'S DISCIPLINARY PROCESS AND PROCEDURES, TO MAKE
22 RECOMMENDATIONS TO THE SCHOOL DISTRICT REGARDING ANY NEGATIVE
23 IMPACT THESE DECISIONS HAVE UPON THE EFFECTIVE MAINTENANCE OF
24 SCHOOL SAFETY AND TO MAKE RECOMMENDATIONS RELATING TO THE
25 EXISTING PROVISIONS OF CONSENT DECREES.

26 (8) TO PREPARE AN ANNUAL REPORT REGARDING THE ACTIVITIES OF
27 THE ADVOCATE DURING THE PRIOR FISCAL YEAR AND ANY
28 RECOMMENDATIONS FOR REMEDIAL LEGISLATION, REGULATIONS OR SCHOOL
29 DISTRICT ADMINISTRATIVE REFORMS, WHICH SHALL BE SUBMITTED TO THE
30 SCHOOL DISTRICT SUPERINTENDENT, THE SECRETARY, THE EXECUTIVE

1 DIRECTOR OF THE PENNSYLVANIA COMMISSION ON CRIME AND
2 DELINQUENCY, THE CHAIRPERSON OF THE EDUCATION COMMITTEE OF THE
3 SENATE AND THE CHAIRPERSON OF THE EDUCATION COMMITTEE OF THE
4 HOUSE OF REPRESENTATIVES BY AUGUST 15 OF EACH YEAR.

5 (9) TO MONITOR INFRACTIONS OF THE SCHOOL DISTRICT'S CODE OF
6 CONDUCT TO IDENTIFY STUDENTS WHOSE CONDUCT WOULD CONSTITUTE AN
7 OFFENSE UNDER 18 PA.C.S. § 2701 (RELATING TO SIMPLE ASSAULT).

8 (C) THE SAFE SCHOOLS ADVOCATE SHALL, ON BEHALF OF VICTIMS OF
9 ACTS OF VIOLENCE ON SCHOOL PROPERTY, VICTIMS OF CONDUCT THAT
10 WOULD CONSTITUTE AN ACT OF VIOLENCE AND VICTIMS OF STUDENTS WHO
11 HAVE COMMITTED TWO OR MORE INFRACTIONS AS SET FORTH IN
12 SUBSECTION (B) (9) :

13 (1) PROVIDE ASSISTANCE AND ADVICE, INCLUDING INFORMATION ON
14 SUPPORT SERVICES PROVIDED BY VICTIM ASSISTANCE OFFICES OF THE
15 APPROPRIATE DISTRICT ATTORNEY AND THROUGH LOCAL COMMUNITY-BASED
16 VICTIM SERVICE AGENCIES;

17 (2) PROVIDE INFORMATION TO THE PARENT OR GUARDIAN OF THE
18 STUDENT VICTIM REGARDING THE DISCIPLINARY PROCESS AND ANY ACTION
19 ULTIMATELY TAKEN AGAINST THE STUDENT ACCUSED OF COMMITTING THE
20 ACT OF VIOLENCE;

21 (3) IN CASES INVOLVING THE POSSESSION OR USE OF A WEAPON,
22 ADVISE THE PARENT OR GUARDIAN OF THE VICTIM WHETHER THE SCHOOL
23 DISTRICT PROPERLY EXERCISED ITS DUTY UNDER SECTION 1317.2;

24 (4) IN CASES WHERE THE ADVOCATE HAS RECEIVED A REQUEST BY
25 THE PARENT OR GUARDIAN OF THE VICTIM, TO ATTEND FORMAL
26 DISCIPLINARY PROCEEDINGS;

27 (5) WITH THE CONSENT OF THE PARENT OR GUARDIAN OF THE
28 VICTIM, PRESENT INFORMATION IN THE DISCIPLINARY PROCEEDING,
29 WHICH MAY INCLUDE ORAL OR WRITTEN PRESENTATIONS, INCLUDING
30 TESTIMONY BY THE VICTIM OR THE PARENT OR GUARDIAN OF THE VICTIM,

1 REGARDING THE IMPACT ON THE VICTIM AND THE VICTIM'S FAMILY AND
2 THE APPROPRIATE DISCIPLINARY ACTION AND WHICH MAY INCLUDE DIRECT
3 OR CROSS-EXAMINATION OF WITNESSES;

4 (6) WHERE THE PERPETRATOR OF AN ACT OF VIOLENCE IS RETURNING
5 TO SCHOOL AFTER PLACEMENT UNDER A CONSENT DECREE, ADJUDICATION
6 OF DELINQUENCY OR CONVICTION OF A CRIMINAL OFFENSE, ASSIST THE
7 PARENT OR GUARDIAN OF THE VICTIM IN PROVIDING INPUT TO THE
8 SCHOOL DISTRICT AND THE APPROPRIATE JUVENILE OR CRIMINAL JUSTICE
9 AUTHORITY TO ENSURE THE VICTIM'S SAFETY ON SCHOOL PROPERTY;

10 (7) IN CASES WHERE THE DISTRICT HAS FAILED TO REPORT THE ACT
11 OF VIOLENCE TO THE APPROPRIATE POLICE DEPARTMENT AS REQUIRED BY
12 THE MEMORANDUM OF UNDERSTANDING, TO REPORT SUCH ACT OF VIOLENCE
13 DIRECTLY; AND

14 (8) PROVIDE INFORMATION AND MAKE RECOMMENDATIONS TO THE
15 OFFICE OF THE DISTRICT ATTORNEY REGARDING THE IMPACT OF THE ACT
16 OF VIOLENCE ON THE VICTIM AND THE VICTIM'S FAMILY.

17 (D) UPON DISCOVERY OF THE COMMISSION OF AN ACT OF VIOLENCE
18 UPON A STUDENT, THE SCHOOL DISTRICT OF THE FIRST CLASS SHALL
19 IMMEDIATELY NOTIFY THE VICTIM'S PARENT OR GUARDIAN OF THE SAFE
20 SCHOOLS ADVOCATE. THE FORM OF THIS NOTICE SHALL BE DEVELOPED BY
21 THE ADVOCATE AND PROVIDED TO THE SCHOOL DISTRICT. THIS FORM
22 SHALL INCLUDE THE ADDRESS AND TELEPHONE NUMBER OF THE ADVOCATE
23 AND A BRIEF DESCRIPTION OF THE PURPOSES AND FUNCTIONS OF THE
24 SAFE SCHOOLS ADVOCATE. THE PRINCIPAL OF EACH SCHOOL WITHIN THE
25 SCHOOL DISTRICT SHALL POST A NOTICE NOT LESS THAN 8 1/2 BY 11
26 INCHES ENTITLED "SAFE SCHOOLS ADVOCATE" AT A PROMINENT LOCATION
27 WITHIN EACH SCHOOL BUILDING, WHERE SUCH NOTICES ARE USUALLY
28 POSTED. THE FORM OF THIS NOTICE SHALL ALSO BE DEVELOPED BY THE
29 ADVOCATE AND PROVIDED TO THE SCHOOL DISTRICT.

30 (E) IT SHALL BE THE DUTY OF EACH SCHOOL ADMINISTRATOR IN A

1 SCHOOL DISTRICT OF THE FIRST CLASS TO COOPERATE WITH THE SAFE
2 SCHOOLS ADVOCATE TO IMPLEMENT THIS SECTION AND TO PROVIDE THE
3 ADVOCATE, UPON REQUEST, WITH ALL AVAILABLE INFORMATION
4 AUTHORIZED BY STATE LAW. IN REGARD TO INDIVIDUAL CASES OF ACTS
5 OF VIOLENCE, ONLY INFORMATION PERMITTED TO BE SHARED UNDER
6 SUBSECTION (F) SHALL BE DISCLOSED.

7 (F) THE ADVOCATE AND ALL EMPLOYEES AND AGENTS OF THE SAFE
8 SCHOOLS ADVOCATE SHALL BE SUBJECT TO AND BOUND BY SECTION 444 OF
9 THE GENERAL EDUCATION PROVISIONS ACT (PUBLIC LAW 90-247, 20
10 U.S.C. § 1232G) AND 34 CFR PT. 99 (RELATING TO FAMILY
11 EDUCATIONAL RIGHTS AND PRIVACY).

12 (G) THIS SECTION SHALL NOT APPLY TO THE EXTENT THAT IT WOULD
13 CONFLICT WITH THE REQUIREMENTS OF THE INDIVIDUALS WITH
14 DISABILITIES EDUCATION ACT (PUBLIC LAW 91-230, 20 U.S.C. § 1400
15 ET SEQ.) OR OTHER APPLICABLE FEDERAL STATUTE OR REGULATION.

16 (H) AS USED IN THIS SECTION:

17 "ACT OF VIOLENCE" SHALL MEAN THE POSSESSION OF A WEAPON ON
18 SCHOOL PROPERTY OR AN OFFENSE, INCLUDING THE ATTEMPT,
19 SOLICITATION OR CONSPIRACY TO COMMIT THE OFFENSE, UNDER ANY OF
20 THE FOLLOWING PROVISIONS OF 18 PA.C.S. (RELATING TO CRIMES AND
21 OFFENSES):

22 (1) SECTION 2501 (RELATING TO CRIMINAL HOMICIDE).

23 (2) SECTION 2702 (RELATING TO AGGRAVATED ASSAULT).

24 (3) SECTION 3121 (RELATING TO RAPE).

25 (4) SECTION 3122.1 (RELATING TO STATUTORY SEXUAL ASSAULT).

26 (5) SECTION 3123 (RELATING TO INVOLUNTARY DEVIATE SEXUAL
27 INTERCOURSE).

28 (6) SECTION 3124.1 (RELATING TO SEXUAL ASSAULT).

29 (7) SECTION 3125 (RELATING TO AGGRAVATED INDECENT ASSAULT).

30 (8) SECTION 3126 (RELATING TO INDECENT ASSAULT).

1 (9) SECTION 3301 (RELATING TO ARSON AND RELATED OFFENSES).

2 (10) SECTION 3701 (RELATING TO ROBBERY).

3 (11) SECTION 3702 (RELATING TO ROBBERY OF MOTOR VEHICLE).

4 "SCHOOL DISTRICT" SHALL MEAN SCHOOL DISTRICT OF THE FIRST
5 CLASS.

6 (I) AT LEAST EIGHTY PER CENTUM (80%) OF ALL APPROPRIATIONS
7 FOR THE OFFICE OF SAFE SCHOOLS ADVOCATE IN FISCAL YEAR 2006-2007
8 SHALL BE EXPENDED BY JUNE 30, 2007, AND THE REMAINING BALANCE OF
9 THE APPROPRIATION SHALL BE COMMITTED OR ENCUMBERED BY JUNE 30,
10 2007.

11 SECTION 1311-A. STANDING.-- (A) IF A STUDENT IN A SCHOOL
12 DISTRICT OF THE FIRST CLASS IS A VICTIM OF AN ACT OF VIOLENCE
13 INVOLVING A WEAPON ON SCHOOL PROPERTY AND THE STUDENT WHO
14 POSSESSED THE WEAPON WAS NOT EXPELLED UNDER SECTION 1317.2, THE
15 PARENT OR GUARDIAN OF THE VICTIM SHALL HAVE STANDING TO
16 INSTITUTE A LEGAL PROCEEDING TO OBTAIN EXPULSION OF THE STUDENT.

17 (B) THE OFFICE OF GENERAL COUNSEL SHALL HAVE STANDING TO
18 BRING AN ACTION ON BEHALF OF A VICTIM OR THE PARENT OR GUARDIAN
19 OF A VICTIM OF AN ACT OF VIOLENCE IN A SCHOOL IN A SCHOOL
20 DISTRICT OF THE FIRST CLASS TO MODIFY, CLARIFY OR ELIMINATE A
21 CONSENT DECREE THAT IS RELATED TO DISCIPLINE IN THE DISTRICT IF,
22 IN CONSULTATION WITH THE ADVOCATE, THE OFFICE OF GENERAL COUNSEL
23 BELIEVES THAT THE ACTION IS IN THE BEST INTERESTS OF THE
24 STUDENTS OF THE SCHOOL DISTRICT.

25 (C) (1) THE EXECUTIVE DIRECTOR OF THE PENNSYLVANIA
26 COMMISSION ON CRIME AND DELINQUENCY IN CONSULTATION WITH THE
27 GENERAL COUNSEL MAY DESIGNATE A PORTION OF THE FUNDS PROVIDED
28 FOR THE SAFE SCHOOLS ADVOCATE:

29 (I) FOR CONTRACTS FOR LEGAL SERVICES TO ASSIST LOW-INCOME
30 PARENTS OR GUARDIANS OF VICTIMS TO OBTAIN LEGAL SERVICES FOR

1 PROCEEDINGS UNDER SUBSECTION (A) .

2 (II) TO CHALLENGE A CONSENT DECREE UNDER SUBSECTION (B) OR
3 TO BRING AN ACTION UNDER SECTIONS 1310-A(C) (5) AND 1312-A(A) .

4 (2) THE DESIGNATION OF ATTORNEYS TO RECEIVE FUNDS UNDER THIS
5 SUBSECTION SHALL BE WITHIN THE DISCRETION OF THE OFFICE OF
6 GENERAL COUNSEL AFTER CONSULTATION WITH THE SAFE SCHOOLS
7 ADVOCATE .

8 (3) DESIGNATED FUNDS WHICH ARE NOT EXPENDED UNDER THIS
9 SUBSECTION SHALL LAPSE TO THE GENERAL FUND .

10 (D) LEGAL PROCEEDINGS UNDER THIS SECTION SHALL BE CONDUCTED
11 BY AN ATTORNEY DESIGNATED BY THE OFFICE OF GENERAL COUNSEL IN
12 CONSULTATION WITH THE SAFE SCHOOLS ADVOCATE . THE ATTORNEY MUST
13 BE A MEMBER OF THE BAR IN GOOD STANDING .

14 (F) AS USED IN THIS SECTION, "LOW-INCOME PARENT OR GUARDIAN"
15 SHALL MEAN A PARENT WHOSE FAMILY INCOME IS NO GREATER THAN TWO
16 HUNDRED FIFTY PER CENTUM (250%) OF THE FEDERAL POVERTY LEVEL .

17 SECTION 1312-A. ENFORCEMENT.--(A) (1) IF THE SCHOOL
18 DISTRICT OF THE FIRST CLASS FAILS TO COMPLY WITH REQUIREMENTS TO
19 PROVIDE INFORMATION TO THE SAFE SCHOOLS ADVOCATE UNDER SECTION
20 1310-A, THE ADVOCATE SHALL PROVIDE DOCUMENTATION OF THE FAILURE
21 TO THE SECRETARY OF EDUCATION AND THE PENNSYLVANIA COMMISSION ON
22 CRIME AND DELINQUENCY .

23 (2) IF THE SECRETARY DETERMINES THAT THERE IS
24 NONCOMPLIANCE, THE SECRETARY SHALL NOTIFY THE ADVOCATE AND THE
25 OFFICE OF GENERAL COUNSEL . THE OFFICE OF GENERAL COUNSEL, IN
26 CONSULTATION WITH THE SAFE SCHOOLS ADVOCATE, SHALL DESIGNATE AN
27 ATTORNEY TO BRING AN ACTION IN A COURT OF COMPETENT JURISDICTION
28 TO ENFORCE SECTION 1310-A .

29 (3) IF THE SECRETARY DETERMINES THAT THE SCHOOL DISTRICT OF
30 THE FIRST CLASS HAS COMPLIED WITH THE REQUIREMENTS TO PROVIDE

1 INFORMATION TO THE SAFE SCHOOLS ADVOCATE UNDER SECTION 1310-A,
2 THE SECRETARY SHALL CONVENE A PUBLIC HEARING AT WHICH THE SAFE
3 SCHOOLS ADVOCATE SHALL BE PERMITTED TO TESTIFY REGARDING THE
4 ALLEGED NONCOMPLIANCE.

5 (B) LEGAL PROCEEDINGS UNDER SUBSECTION (A) SHALL BE
6 CONDUCTED BY AN ATTORNEY DESIGNATED BY THE OFFICE OF GENERAL
7 COUNSEL IN CONSULTATION WITH THE SAFE SCHOOLS ADVOCATE. THE
8 ATTORNEY MUST BE A MEMBER OF THE BAR IN GOOD STANDING.

9 SECTION 1313-A. CONSTRUCTION OF ARTICLE AND OTHER LAWS.--
10 NOTHING IN THIS ARTICLE OR ANY OTHER PROVISION OF LAW SHALL BE
11 CONSTRUED AS GRANTING A RIGHT OF STATUS FOR OR PARTICIPATION BY
12 THE SAFE SCHOOLS ADVOCATE IN A GRIEVANCE OR ARBITRATION
13 PROCEEDING ARISING OUT OF A COLLECTIVE BARGAINING AGREEMENT.]

14 SECTION 15. SECTION 1301-B OF THE ACT IS AMENDED BY ADDING
15 DEFINITIONS TO READ:

16 SECTION 1301-B. DEFINITIONS.

17 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE
18 SHALL HAVE THE MEANING GIVEN TO THEM IN THIS SECTION UNLESS THE
19 CONTEXT CLEARLY INDICATES OTHERWISE:

20 "CHIEF SCHOOL ADMINISTRATOR." THE SUPERINTENDENT OF A PUBLIC
21 SCHOOL DISTRICT, SUPERINTENDENT OF AN AREA CAREER AND TECHNICAL
22 SCHOOL, EXECUTIVE DIRECTOR OF AN INTERMEDIATE UNIT OR CHIEF
23 EXECUTIVE OFFICER OF A CHARTER SCHOOL.

24 * * *

25 "DEPARTMENT." THE DEPARTMENT OF EDUCATION OF THE
26 COMMONWEALTH.

27 * * *

28 "SCHOOL PROPERTY." AS DEFINED IN SECTION 1301-A.

29 * * *

30 "STUDENT WITH A DISABILITY." A STUDENT WHO MEETS THE

1 DEFINITION OF "CHILD WITH A DISABILITY" UNDER 20 U.S.C. CH. 33
2 (RELATING TO EDUCATION OF INDIVIDUALS WITH DISABILITIES) OR WHO
3 MEETS THE DEFINITION OF A "HANDICAPPED PERSON" UNDER 29 U.S.C. §
4 794 (RELATING TO NONDISCRIMINATION UNDER FEDERAL GRANTS AND
5 PROGRAMS) AND ITS IMPLEMENTING REGULATIONS (34 CFR 104.3(J)).
6 THE TERM INCLUDES A STUDENT FOR WHOM AN EVALUATION IS PENDING
7 UNDER EITHER 20 U.S.C. CH. 33 OR 29 U.S.C. CH. 16 (RELATING TO
8 VOCATIONAL REHABILITATION AND OTHER REHABILITATIVE SERVICES).

9 "WEAPON." THE TERM SHALL INCLUDE, BUT NOT BE LIMITED TO, A
10 KNIFE, CUTTING INSTRUMENT, CUTTING TOOL, NUNCHAKU, FIREARM,
11 SHOTGUN, RIFLE AND OTHER TOOL, INSTRUMENT OR IMPLEMENT CAPABLE
12 OF INFLECTING SERIOUS BODILY INJURY.

13 SECTION 16. SECTION 1302-B(E) OF THE ACT, AMENDED JULY 8,
14 2022 (P.L.620, NO.55), IS AMENDED, SUBSECTION (B) (12) IS AMENDED
15 BY ADDING A SUBPARAGRAPH AND THE SECTION IS AMENDED BY ADDING A
16 SUBSECTION TO READ:

17 SECTION 1302-B. SCHOOL SAFETY AND SECURITY COMMITTEE.

18 * * *

19 (B) COMPOSITION.--THE COMMITTEE SHALL CONSIST OF A
20 CHAIRPERSON AND THE FOLLOWING MEMBERS:

21 * * *

22 (12) THE FOLLOWING MEMBERS APPOINTED BY THE GOVERNOR:

23 * * *

24 (XI) THE HOMELAND SECURITY DIRECTOR OF THE OFFICE OF
25 HOMELAND SECURITY UNDER 4 PA. CODE CH. 6 SUBCH. LL
26 (RELATING TO OFFICE OF HOMELAND SECURITY), WHO SHALL BE A
27 NONVOTING MEMBER.

28 * * *

29 (E) TERM.--MEMBERS APPOINTED UNDER SUBSECTION (B) (5), (6),
30 (7), (8), (11) AND (12) SHALL SERVE FOR A FOUR-YEAR TERM AND MAY

1 BE APPOINTED FOR NO MORE THAN ONE ADDITIONAL CONSECUTIVE TERM.
2 THE TERMS OF THOSE MEMBERS WHO SERVE BY VIRTUE OF THE PUBLIC
3 OFFICE THEY HOLD SHALL BE CONCURRENT WITH THEIR SERVICE IN THE
4 OFFICE FROM WHICH THEY DERIVE THEIR MEMBERSHIP.

5 * * *

6 (J) EXECUTIVE COMMITTEE.--

7 (1) THE COMMITTEE SHALL ESTABLISH AN EXECUTIVE COMMITTEE
8 WHICH SHALL MEET, AT A MINIMUM, EVERY TWO MONTHS TO IDENTIFY
9 AND REVIEW CURRENT AND EMERGING SCHOOL SAFETY ISSUES,
10 INCLUDING, BUT NOT LIMITED TO:

11 (I) DATA ON ISSUES AND INCIDENTS REPORTED THROUGH
12 THE SAFE2SAY PROGRAM;

13 (II) INFORMATION ARISING FROM COUNTY SAFE SCHOOLS'
14 COLLABORATIVES UNDER SECTION 1310.1-B;

15 (III) IDENTIFICATION, PREVENTION AND MITIGATION OF
16 POTENTIAL THREATS OF TARGETED VIOLENCE IN EDUCATIONAL
17 SETTINGS;

18 (IV) UTILIZATION OF BEST PRACTICES AMONG SCHOOL
19 ENTITIES RELATED TO THREAT ASSESSMENT, BYSTANDER
20 INTERVENTION AND REPORTING, CRISIS INTERVENTION AND
21 EMERGENCY PREPAREDNESS AND RESPONSE; AND

22 (V) OTHER INCIDENTS AND ISSUES IMPACTING SCHOOL
23 SAFETY IN THIS COMMONWEALTH.

24 (2) THE EXECUTIVE COMMITTEE SHALL PROVIDE GUIDANCE AND
25 RECOMMENDATIONS FOR CONSIDERATION BY THE COMMITTEE. ANY
26 ACTION RELATING TO GUIDANCE OR RECOMMENDATIONS PROVIDED BY
27 THE EXECUTIVE COMMITTEE TO THE COMMITTEE SHALL REQUIRE A VOTE
28 OF A MAJORITY OF THE MEMBERS OF THE COMMITTEE. ANY DECISION
29 RELATING TO AWARDING OF A GRANT UNDER THIS ARTICLE SHALL
30 REMAIN THE SOLE AND EXCLUSIVE RESPONSIBILITY OF THE

1 COMMITTEE.

2 (3) THE EXECUTIVE COMMITTEE SHALL INCLUDE, AT A MINIMUM,
3 THE CHAIR OF THE COMMITTEE AND THE MEMBERS APPOINTED UNDER
4 SUBSECTION (B) (1), (2), (3), (4), (5), (6), (7) AND (8).

5 (4) (I) EXCEPT AS PROVIDED UNDER SUBPARAGRAPH (II), A
6 MEETING OF THE EXECUTIVE COMMITTEE SHALL NOT BE SUBJECT
7 TO THE REQUIREMENTS OF 65 PA.C.S. CH. 7 (RELATING TO OPEN
8 MEETINGS).

9 (II) PUBLIC NOTICE OF A MEETING OF THE EXECUTIVE
10 COMMITTEE SHALL BE PROVIDED AS REQUIRED UNDER 65 PA.C.S.
11 § 709(A) (RELATING TO PUBLIC NOTICE). THE PUBLIC NOTICE
12 UNDER THIS SUBPARAGRAPH SHALL INCLUDE AN AGENDA THE
13 EXECUTIVE COMMITTEE IS GOING TO DISCUSS.

14 (III) AT THE NEXT SCHEDULED MEETING OF THE
15 COMMITTEE, THE CHAIR OF THE EXECUTIVE COMMITTEE SHALL
16 PROVIDE A SUMMARY OF ANY MEETING OF THE EXECUTIVE
17 COMMITTEE THAT OCCURRED SINCE THE LAST MEETING OF THE
18 COMMITTEE.

19 (5) THE MEMBER APPOINTED UNDER SUBSECTION (B) (2) SHALL
20 SERVE AS CHAIR OF THE EXECUTIVE COMMITTEE.

21 (6) THE EXECUTIVE COMMITTEE MAY ADD OTHER MEMBERS OF THE
22 COMMITTEE AS NECESSARY.

23 SECTION 17. THE ACT IS AMENDED BY ADDING A SECTION TO READ:
24 SECTION 1302.1-B. DUTIES OF COMMITTEE.

25 THE COMMITTEE SHALL ADVANCE PRACTICES TO IMPROVE THE SAFETY
26 AND SECURITY OF SCHOOL ENTITIES WITHIN THIS COMMONWEALTH,
27 INCLUDING DEVELOPING POLICIES AND PROVIDING RESOURCES, TRAINING,
28 GUIDANCE AND ASSISTANCE TO SCHOOLS AND THEIR PARTNERS. IN
29 ADDITION TO OTHER DUTIES GIVEN TO THE COMMITTEE UNDER THIS
30 ARTICLE, THE COMMITTEE SHALL HAVE THE FOLLOWING POWERS AND

1 DUTIES:

2 (1) TO ESTABLISH, PERIODICALLY REVIEW AND, IF NECESSARY,
3 UPDATE BASELINE CRITERIA FOR PHYSICAL SECURITY AND BEHAVIORAL
4 HEALTH IN COORDINATION WITH THE DEPARTMENT FOR SCHOOL
5 ENTITIES IN THIS COMMONWEALTH.

6 (2) TO COORDINATE ANTIVIOLENCE AND SCHOOL SAFETY EFFORTS
7 BETWEEN SCHOOL, PROFESSIONAL, PARENTAL, GOVERNMENTAL, LAW
8 ENFORCEMENT AND COMMUNITY ORGANIZATIONS AND ASSOCIATIONS.

9 (3) TO COLLECT, DEVELOP AND DISSEMINATE INFORMATION,
10 POLICIES, STRATEGIES AND OTHER INFORMATION TO ASSIST IN THE
11 DEVELOPMENT OF PROGRAMS TO IMPACT SCHOOL AND COMMUNITY
12 VIOLENCE AND OTHER SCHOOL-SAFETY-RELATED ISSUES.

13 (4) TO PROVIDE TRAINING TO SCHOOL EMPLOYEES, SCHOOL
14 SAFETY AND SECURITY COORDINATORS AND COMMUNITIES ON EFFECTIVE
15 MEASURES TO PREVENT AND COMBAT SCHOOL AND COMMUNITY VIOLENCE
16 AS WELL AS SCHOOL SAFETY AND SECURITY TRAINING UNDER SECTION
17 1310-B AND COORDINATOR TRAINING UNDER SECTION 1316-B.

18 (5) IN COLLABORATION AND COORDINATION WITH THE
19 DEPARTMENT, TO ASSIST SCHOOL ENTITIES AND NONPUBLIC SCHOOLS
20 ON THE DEVELOPMENT OF POLICIES TO ENHANCE SAFETY AND
21 SECURITY, INCLUDING POLICIES ADDRESSING POSSESSION OF
22 WEAPONS, ACTS OF VIOLENCE, PROTOCOLS FOR COORDINATION WITH
23 LAW ENFORCEMENT OFFICIALS AND REPORTING UNDER SECTION 1319-B.

24 (6) IN COLLABORATION AND COORDINATION WITH THE
25 DEPARTMENT, TO VERIFY THAT EACH SCHOOL ENTITY HAS COMPLIED
26 WITH REPORTING AND MEMORANDUM OF UNDERSTANDING REQUIREMENTS
27 UNDER SECTION 1319-B.

28 (7) IN COLLABORATION AND COORDINATION WITH THE
29 DEPARTMENT, TO PUBLISH AND POST ON THE COMMISSION'S PUBLICLY
30 ACCESSIBLE INTERNET WEBSITE A SCHOOL SAFETY ANNUAL REPORT NO

1 LATER THAN NOVEMBER 1 OF EACH CALENDAR YEAR OUTLINING ALL
2 INCIDENTS REQUIRED TO BE REPORTED UNDER SECTION 1319-B AND
3 SCHOOL ENTITIES THAT FAILED TO SUBMIT A REPORT UNDER SECTION
4 1319-B.

5 (8) IN COLLABORATION AND CONSULTATION WITH THE
6 PENNSYLVANIA STATE POLICE, TO ESTABLISH CRITERIA FOR
7 CERTIFYING APPROVED VENDORS TO PROVIDE SCHOOL POLICE OFFICERS
8 TO NONPUBLIC SCHOOLS FOR THE PURPOSE OF AWARDING GRANTS UNDER
9 SECTION 1306.1-B(K).

10 (9) TO PUBLISH AND POST ON THE COMMISSION'S PUBLICLY
11 ACCESSIBLE INTERNET WEBSITE A LISTING OF APPROVED VENDORS
12 UNDER PARAGRAPH (8).

13 (10) IN CONSULTATION WITH THE DEPARTMENT, TO DEVELOP,
14 REVIEW AND PROMULGATE REGULATIONS UNDER SECTION 1306.2-B(B).

15 (11) TO REQUEST DATA RELATED TO SCHOOL SAFETY AND
16 SECURITY COLLECTED BY THE DEPARTMENT TO FULFILL THE DUTIES OF
17 THE COMMITTEE. THE DEPARTMENT SHALL PROVIDE REQUESTED DATA NO
18 LATER THAN 10 DAYS AFTER THE REQUEST IS MADE.

19 SECTION 18. SECTION 1306-B(I) (1), (J) (4) AND (12), (K) AND
20 (L) OF THE ACT, AMENDED JULY 8, 2022 (P.L.620, NO.55), ARE
21 AMENDED, SUBSECTION (H) IS AMENDED BY ADDING PARAGRAPHS AND THE
22 SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

23 SECTION 1306-B. SCHOOL SAFETY AND SECURITY GRANT PROGRAM.

24 * * *

25 (H) SCHOOL SAFETY AND SECURITY FUND.--

26 * * *

27 (10) FOR FISCAL YEAR 2023-2024, THE COMMITTEE SHALL
28 COMMIT FUNDS RELATING TO SCHOOL SAFETY AND SECURITY AND
29 SCHOOL MENTAL HEALTH TO SCHOOL ENTITIES THAT RECEIVE A GRANT
30 AWARD UNDER THIS SECTION NO LATER THAN MARCH 31, 2024.

1 (11) FOR FISCAL YEAR 2024-2025 AND EACH FISCAL YEAR
2 THEREAFTER, THE COMMITTEE SHALL COMMIT FUNDS RELATING TO
3 SCHOOL SAFETY AND SECURITY AND SCHOOL MENTAL HEALTH TO SCHOOL
4 ENTITIES THAT RECEIVE A GRANT AWARD UNDER THIS SECTION NO
5 LATER THAN DECEMBER 31 OF EACH CALENDAR YEAR IN WHICH FUNDS
6 ARE AVAILABLE.

7 (12) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, DURING
8 THE 2023-2024 FISCAL YEAR, MONEY APPROPRIATED FOR COVID
9 RELIEF - ARPA - SCHOOL MENTAL HEALTH GRANTS SHALL BE
10 TRANSFERRED TO THE FUND AND SHALL BE USED AS FOLLOWS:

11 (I) NINETY PERCENT SHALL BE USED FOR GRANTS UNDER
12 SECTION 1315.1-B.

13 (II) FIVE PERCENT SHALL BE TRANSFERRED TO THE
14 DEPARTMENT FOR TRAINING OF SCHOOL BASED MENTAL HEALTH
15 PROFESSIONALS AND TO ESTABLISH PATHWAYS TO CERTIFICATION
16 FOR SCHOOL BASED MENTAL HEALTH PROFESSIONALS.

17 (III) FIVE PERCENT SHALL BE TRANSFERRED TO THE
18 PENNSYLVANIA HIGHER EDUCATION ASSISTANCE AGENCY FOR THE
19 PROGRAM UNDER SECTION 1318-B.

20 (I) COMMUNITY VIOLENCE PREVENTION PROGRAMS.--

21 (1) [MUNICIPALITIES] NOTWITHSTANDING SUBSECTION (H) (7),
22 THE COMMITTEE SHALL USE MONEY APPROPRIATED TO THE COMMISSION
23 FOR VIOLENCE INTERVENTION AND PREVENTION FOR GRANTS AND
24 TECHNICAL ASSISTANCE TO MUNICIPALITIES, DISTRICT ATTORNEYS,
25 INSTITUTIONS OF HIGHER EDUCATION, COMMUNITY-BASED
26 ORGANIZATIONS AND OTHER ENTITIES APPROVED BY THE COMMITTEE
27 [ARE THE ONLY ELIGIBLE APPLICANTS] FOR PROGRAMS UNDER
28 SUBSECTION (J) (22).

29 * * *

30 (J) SPECIFIC PURPOSES.--THE COMMITTEE SHALL PROVIDE GRANTS

1 TO SCHOOL ENTITIES FOR PROGRAMS THAT ADDRESS SCHOOL MENTAL
2 HEALTH AND SAFETY AND SECURITY, INCLUDING:

3 * * *

4 (4) SCHOOL-BASED DIVERSION PROGRAMS [.] AS DEFINED IN
5 SECTION 1301-A, INCLUDING COSTS ASSOCIATED WITH THE HIRING OF
6 QUALIFIED PROFESSIONAL STAFF MEMBERS TO PROVIDE ASSISTANCE
7 AND SERVICES RELATED TO THE PROGRAMS.

8 * * *

9 (12) SECURITY PLANNING AND PURCHASE OF SECURITY-RELATED
10 TECHNOLOGY, WHICH MAY INCLUDE METAL DETECTORS, PROTECTIVE
11 LIGHTING, SPECIALTY TRAINED CANINES, SURVEILLANCE EQUIPMENT,
12 SPECIAL EMERGENCY COMMUNICATIONS EQUIPMENT, AUTOMATED
13 EXTERNAL DEFIBRILLATORS, ELECTRONIC LOCKSETS, DEADBOLTS,
14 TRAUMA KITS AND THEFT CONTROL DEVICES AND TRAINING IN THE USE
15 OF SECURITY-RELATED TECHNOLOGY. [SECURITY PLANNING AND
16 PURCHASE OF SECURITY-RELATED TECHNOLOGY SHALL BE BASED ON
17 SAFETY NEEDS IDENTIFIED BY THE SCHOOL ENTITY'S BOARD OF
18 SCHOOL DIRECTORS.]

19 * * *

20 (K) COORDINATION OF GRANT DISTRIBUTION.--THE [DEPARTMENT]
21 COMMITTEE SHALL COORDINATE THE DISTRIBUTION OF GRANTS UNDER
22 [ARTICLE XIII-A WITH THE COMMITTEE] SECTION 1306.1-B TO ENSURE
23 THE MOST EFFECTIVE USE OF RESOURCES.

24 (L) AUDITS.--

25 (1) THE COMMISSION MAY RANDOMLY AUDIT AND MONITOR GRANT
26 RECIPIENTS TO ENSURE THE APPROPRIATE USE OF GRANT FUNDS AND
27 COMPLIANCE WITH [THE PROVISIONS OF] SUBSECTION (D).

28 (2) THE AUDITOR GENERAL [SHALL] MAY NOT PERFORM AUDITS
29 RELATED TO SCHOOL SAFETY AND SECURITY ASSESSMENTS, SURVEY
30 INSTRUMENTS AND GRANT APPLICATIONS.

1 (M) PROCUREMENT PROCEDURES.--AN APPLICANT SHALL BE REQUIRED
2 TO COMPLY WITH ALL APPLICABLE STATE AND LOCAL PROCUREMENT
3 REQUIREMENTS, POLICIES AND PROCEDURES WHEN EXPENDING GRANT
4 FUNDS.

5 SECTION 19. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:
6 SECTION 1306.1-B. TARGETED SCHOOL SAFETY GRANTS FOR NONPUBLIC
7 SCHOOLS AND SCHOOL ENTITIES PROGRAM.

8 (A) REESTABLISHMENT.--THE TARGETED SCHOOL SAFETY GRANTS FOR
9 NONPUBLIC SCHOOLS AND SCHOOL ENTITIES PROGRAM IS REESTABLISHED
10 IN THE COMMITTEE TO MAKE NONPUBLIC SCHOOLS AND SCHOOL ENTITIES
11 WITHIN THIS COMMONWEALTH SAFER PLACES.

12 (B) CONTINUATION.--THE TARGETED GRANTS ISSUED IN FISCAL YEAR
13 2022-2023 AND IN ANY PREVIOUS FISCAL YEAR TO SCHOOL ENTITIES AND
14 TO INTERMEDIATE UNITS ON BEHALF OF NONPUBLIC SCHOOLS THROUGH THE
15 DEPARTMENT UNDER ARTICLE XIII-A SHALL CONTINUE TO BE
16 ADMINISTERED BY THE DEPARTMENT. TARGETED GRANTS FOR FISCAL YEAR
17 2023-2024 AND EACH YEAR THEREAFTER SHALL BE AWARDED AND
18 ADMINISTERED BY THE COMMITTEE.

19 (C) FUNCTIONS GENERALLY.--THE COMMITTEE SHALL PERFORM ALL
20 FUNCTIONS RELATED TO THE DIRECT APPROVAL, DISBURSEMENT AND
21 ADMINISTRATION OF GRANTS UNDER THE PROGRAM.

22 (D) DIVERSITY.--THE COMMITTEE SHALL ENSURE THAT GRANT
23 FUNDING UNDER THE PROGRAM IS GEOGRAPHICALLY DISPERSED THROUGHOUT
24 THIS COMMONWEALTH.

25 (E) SUPPLEMENT AND NOT SUPPLANT.--

26 (1) GRANT MONEY ALLOCATED THROUGH THE PROGRAM SHALL BE
27 USED TO SUPPLEMENT AND NOT SUPPLANT EXISTING NONPUBLIC SCHOOL
28 ENTITY SPENDING ON SCHOOL SAFETY AND SECURITY.

29 (2) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO
30 PRECLUDE A NONPUBLIC SCHOOL ENTITY FROM MAKING AN APPLICATION

1 IN A SUBSEQUENT YEAR FOR THE SAME PURPOSE AND AMOUNT AWARDED
2 IN A PRIOR YEAR.

3 (F) WHOLE OR PARTIAL AWARDS.--THE COMMITTEE, IN ITS
4 DISCRETION, MAY AWARD, IN WHOLE OR IN PART, A REQUEST MADE BY A
5 NONPUBLIC SCHOOL ENTITY IN ITS GRANT APPLICATION BASED UPON THE
6 MERIT OF A SPECIFIC ITEM REQUESTED.

7 (G) SUSTAINABILITY PLANNING.--SUSTAINABILITY PLANNING IS NOT
8 A NECESSARY COMPONENT OF AN APPLICATION UNDER THIS SECTION.

9 (H) CONFIDENTIALITY.--INFORMATION SUBMITTED BY A NONPUBLIC
10 SCHOOL ENTITY AS PART OF THE GRANT APPLICATION, THE DISCLOSURE
11 OF WHICH WOULD BE REASONABLY LIKELY TO RESULT IN A SUBSTANTIAL
12 AND DEMONSTRABLE RISK OF PHYSICAL HARM OR THE PERSONAL SECURITY
13 OF STUDENTS OR STAFF, SHALL REMAIN CONFIDENTIAL AND SHALL NOT BE
14 ACCESSIBLE FOR INSPECTION AND DUPLICATION UNDER THE ACT OF
15 FEBRUARY 14, 2008 (P.L.6, NO.3), KNOWN AS THE RIGHT-TO-KNOW LAW.
16 THE COMMITTEE MAY RELEASE AGGREGATE DATA AT ITS DISCRETION.

17 (I) (RESERVED).

18 (J) USES.--TARGETED GRANTS TO SCHOOL ENTITIES AND TO
19 INTERMEDIATE UNITS ON BEHALF OF NONPUBLIC SCHOOLS SHALL BE USED
20 TO FUND PROGRAMS THAT ADDRESS SCHOOL VIOLENCE AND SCHOOL MENTAL
21 HEALTH. ELIGIBLE USES OF THE FUNDS SHALL INCLUDE ANY USE UNDER
22 SECTION 1306-B(J) AND TO FUND PROGRAMS THAT ADDRESS SCHOOL
23 VIOLENCE BY ESTABLISHING OR ENHANCING SCHOOL SECURITY, INCLUDING
24 COSTS ASSOCIATED WITH THE TRAINING AND COMPENSATION OF SCHOOL
25 SECURITY PERSONNEL.

26 (K) OTHER GRANT RECIPIENTS.--

27 (1) THE COMMITTEE MAY AWARD TARGETED GRANTS TO
28 MUNICIPALITIES, LAW ENFORCEMENT AGENCIES AND APPROVED VENDORS
29 TO FUND PROGRAMS THAT ADDRESS SCHOOL VIOLENCE BY ESTABLISHING
30 OR ENHANCING SCHOOL SECURITY, INCLUDING COSTS ASSOCIATED WITH

1 THE TRAINING AND COMPENSATION OF SCHOOL SECURITY PERSONNEL.

2 (2) A MUNICIPALITY OR LAW ENFORCEMENT AGENCY THAT
3 RECEIVES GRANTS UNDER THIS SUBSECTION SHALL, WITH THE PRIOR
4 CONSENT OF THE GOVERNING BOARD OF THE SCHOOL ENTITY OR
5 NONPUBLIC SCHOOL, ASSIGN SCHOOL RESOURCE OFFICERS TO CARRY
6 OUT THEIR OFFICIAL DUTIES ON THE PREMISES OF THE SCHOOL
7 ENTITY OR NONPUBLIC SCHOOL. A MUNICIPALITY OR LAW ENFORCEMENT
8 AGENCY MAY NOT RECEIVE GRANT MONEY UNDER THIS SUBSECTION FOR
9 ANY PURPOSE OTHER THAN FOR COSTS ASSOCIATED WITH SCHOOL
10 RESOURCE OFFICERS AND ARE NOT ELIGIBLE FOR OTHER GRANTS
11 PROVIDED TO SCHOOL ENTITIES UNDER THIS SECTION. IN ASSIGNING
12 SCHOOL RESOURCE OFFICERS UNDER THIS SUBSECTION, A
13 MUNICIPALITY SHALL TAKE INTO CONSIDERATION THE PROPORTION OF
14 STUDENTS ENROLLED IN EACH SCHOOL ENTITY OR NONPUBLIC SCHOOL.

15 (3) A NONPUBLIC SCHOOL MAY APPLY TO THE COMMITTEE FOR
16 GRANT FUNDING UNDER PARAGRAPH (1) TO BE USED FOR THE COSTS
17 ASSOCIATED WITH OBTAINING THE SERVICES OF SCHOOL SECURITY
18 PERSONNEL FROM A LIST OF APPROVED VENDORS CERTIFIED BY THE
19 COMMITTEE. A GRANT AWARD FOR THIS PURPOSE SHALL BE AWARDED
20 AND PAID DIRECTLY TO THE APPROVED VENDOR WITH WHICH THE
21 NONPUBLIC SCHOOL CONTRACTS FOR SERVICES. A NONPUBLIC SCHOOL
22 MAY NOT APPLY FOR GRANT FUNDING UNDER THIS SUBSECTION FOR ANY
23 PURPOSE OTHER THAN OBTAINING THE SERVICES OF SCHOOL SECURITY
24 PERSONNEL UNDER THIS PARAGRAPH.

25 (L) OTHER DUTIES.--THE COMMITTEE SHALL HAVE THE FOLLOWING
26 DUTIES AS TO TARGETED GRANTS:

27 (1) TARGETED GRANTS SHALL BE ALLOCATED THROUGH A
28 COMPETITIVE GRANT REVIEW PROCESS ESTABLISHED BY THE
29 COMMITTEE. A SCHOOL ENTITY MUST SATISFY THE REQUIREMENTS OF
30 THIS SECTION. THE APPLICATION FOR A TARGETED GRANT SHALL

1 INCLUDE:

2 (I) THE PURPOSE FOR WHICH THE TARGETED GRANT WILL BE
3 UTILIZED;

4 (II) INFORMATION INDICATING THE NEED FOR THE
5 TARGETED GRANT, INCLUDING, BUT NOT LIMITED TO, SCHOOL
6 VIOLENCE STATISTICS;

7 (III) AN ESTIMATED BUDGET;

8 (IV) METHODS FOR MEASURING OUTCOMES; AND

9 (V) OTHER CRITERIA AS THE COMMITTEE MAY REQUIRE.

10 (2) THE COMMITTEE SHALL:

11 (I) GIVE PRIORITY IN GRANT FUNDING UNDER SUBSECTION
12 (C) TO A SCHOOL ENTITY DESIGNATED AS A PERSISTENTLY
13 DANGEROUS SCHOOL AS DEFINED IN 22 PA. CODE § 403.2
14 (RELATING TO DEFINITIONS).

15 (II) GIVE PRIORITY IN GRANT FUNDING UNDER SUBSECTION
16 (J) TO SCHOOL ENTITIES WITH THE GREATEST NEED RELATED TO
17 SAFETY AND ORDER.

18 (III) FOR MUNICIPALITIES, LOCAL LAW ENFORCEMENT
19 AGENCIES AND NONPUBLIC SCHOOLS THAT APPLY FOR FUNDING FOR
20 THE TRAINING AND COMPENSATION OF SCHOOL SECURITY
21 PERSONNEL UNDER SUBSECTION (J) OR (K), GIVE PRIORITY TO
22 MUNICIPALITIES, LOCAL LAW ENFORCEMENT AGENCIES AND
23 NONPUBLIC SCHOOLS THAT UTILIZE SCHOOL SECURITY PERSONNEL
24 WHO HAVE COMPLETED THE TRAINING AND QUALIFICATIONS
25 REQUIRED UNDER ARTICLE XIII-C.

26 (IV) FOR SCHOOL ENTITIES OR NONPUBLIC SCHOOLS THAT
27 APPLY FOR FUNDING FOR SCHOOL POLICE OFFICERS UNDER
28 SUBSECTION (J) OR (K), GIVE PRIORITY TO SCHOOL ENTITIES
29 AND NONPUBLIC SCHOOLS THAT UTILIZE SCHOOL POLICE OFFICERS
30 WHO SATISFY ALL OF THE FOLLOWING:

1 (A) ARE RETIRED FEDERAL AGENTS OR RETIRED STATE,
2 MUNICIPAL OR MILITARY POLICE OFFICERS.

3 (B) ARE INDEPENDENT CONTRACTORS OF THE SCHOOL
4 ENTITY OR NONPUBLIC SCHOOL.

5 (C) ARE COMPENSATED ON AN HOURLY BASIS AND
6 RECEIVE NO OTHER COMPENSATION OR FRINGE BENEFITS FROM
7 THE SCHOOL ENTITY OR NONPUBLIC SCHOOL.

8 (D) HAVE COMPLETED ANNUAL TRAINING AS REQUIRED
9 BY THE MUNICIPAL POLICE OFFICERS' EDUCATION AND
10 TRAINING COMMISSION UNDER 53 PA.C.S. CH. 21 SUBCH. D
11 (RELATING TO MUNICIPAL POLICE EDUCATION AND
12 TRAINING).

13 (E) THE REQUIREMENTS OF SECTION 111.

14 (F) IN THE CASE OF A SCHOOL ENTITY, HAVE BEEN
15 INDEMNIFIED BY THE SCHOOL ENTITY UNDER 42 PA.C.S. §
16 8548 (RELATING TO INDEMNITY).

17 (G) ARE UTILIZED BY A SCHOOL ENTITY OR NONPUBLIC
18 SCHOOL THAT HAS NOT EMPLOYED A SCHOOL POLICE OFFICER
19 WITHIN THE THREE YEARS IMMEDIATELY PRECEDING THE
20 EFFECTIVE DATE OF THIS SECTION. NOTHING IN THIS
21 SECTION SHALL BE CONSTRUED TO IMPACT GRANT DECISIONS
22 FOR SCHOOL ENTITIES, MUNICIPALITIES OR LAW
23 ENFORCEMENT AGENCIES THAT APPLY FOR FUNDING FOR
24 HIRING OF SCHOOL RESOURCE OFFICERS UNDER SUBSECTION
25 (J) OR (K).

26 (3) FOR FISCAL YEAR 2023-2024 AND EACH FISCAL YEAR
27 THEREAFTER, THE COMBINED AMOUNT OF GRANTS AWARDED TO
28 INTERMEDIATE UNITS ON BEHALF OF NONPUBLIC SCHOOLS UNDER
29 SUBSECTION (J) AND GRANTS AWARDED FOR COSTS ASSOCIATED WITH A
30 NONPUBLIC SCHOOL OBTAINING THE SERVICES OF SCHOOL SECURITY

1 PERSONNEL UNDER SUBSECTION (K) SHALL BE NO LESS THAN
2 \$14,551,000.

3 (M) AUDITS.--

4 (1) THE COMMISSION MAY RANDOMLY AUDIT AND MONITOR GRANT
5 RECIPIENTS TO ENSURE THE APPROPRIATE USE OF GRANT FUNDS AND
6 COMPLIANCE WITH THE PROVISIONS OF SUBSECTION (D).

7 (2) THE AUDITOR GENERAL MAY NOT PERFORM AUDITS RELATED
8 TO SCHOOL SAFETY AND SECURITY ASSESSMENTS, SURVEY INSTRUMENTS
9 AND GRANT APPLICATIONS.

10 (N) PROCUREMENT PROCEDURES.--AN APPLICANT SHALL BE REQUIRED
11 TO COMPLY WITH ALL APPLICABLE STATE AND LOCAL PROCUREMENT
12 REQUIREMENTS, POLICIES AND PROCEDURES WHEN EXPENDING GRANT
13 MONEY.

14 (O) TRANSFER.--WITHIN 90 DAYS OF THE EFFECTIVE DATE OF THIS
15 SECTION, FROM THE AMOUNT APPROPRIATED TO THE DEPARTMENT OF
16 EDUCATION FOR THE SAFE SCHOOLS INITIATIVE, THE DEPARTMENT OF
17 EDUCATION SHALL TRANSFER THE SUM OF \$20,700,000 TO THE
18 COMMISSION FOR DISTRIBUTION BY THE COMMITTEE IN ACCORDANCE WITH
19 THIS SECTION.

20 (P) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING
21 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
22 SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

23 "PROGRAM." THE TARGETED SCHOOL SAFETY GRANTS FOR NONPUBLIC
24 SCHOOLS AND SCHOOL ENTITIES PROGRAM REESTABLISHED IN THIS
25 SECTION.

26 SECTION 1306.2-B. STANDARDIZED PROTOCOLS.

27 (A) CONTINUATION OF REGULATIONS.--A REGULATION ADOPTED UNDER
28 SECTION 1302.1-A AND IN EFFECT AS OF THE EFFECTIVE DATE OF THIS
29 SECTION SHALL BE ENFORCED BY THE COMMITTEE IN COLLABORATION AND
30 COORDINATION WITH THE DEPARTMENT AND THE STATE BOARD OF

1 EDUCATION AND SHALL CONTINUE TO HAVE THE SAME FORCE AND EFFECT
2 UNTIL MODIFIED OR REVISED UNDER THIS SECTION.

3 (B) REGULATIONS.--NO LATER THAN THREE YEARS AFTER THE
4 EFFECTIVE DATE OF THIS SECTION, THE COMMITTEE SHALL PROMULGATE
5 FINAL-OMITTED REGULATIONS UNDER THE ACT OF JUNE 25, 1982
6 (P.L.633, NO.181), KNOWN AS THE REGULATORY REVIEW ACT, IN
7 CONSULTATION WITH THE DEPARTMENT, NECESSARY TO IMPLEMENT THIS
8 ARTICLE. THE REGULATIONS SHALL INCLUDE THE FOLLOWING:

9 (1) A MODEL MEMORANDUM OF UNDERSTANDING BETWEEN SCHOOL
10 ENTITIES AND LAW ENFORCEMENT. THE MODEL MEMORANDUM OF
11 UNDERSTANDING SHALL BE REVIEWED AT LEAST ONCE EVERY THREE
12 YEARS AND REVISED WHERE NECESSARY. THE COMMITTEE MAY REVISE
13 THE MODEL MEMORANDUM OF UNDERSTANDING BY TRANSMITTING A
14 NOTICE TO THE LEGISLATIVE REFERENCE BUREAU FOR PUBLICATION IN
15 THE NEXT AVAILABLE ISSUE OF THE PENNSYLVANIA BULLETIN THAT
16 CONTAINS THE COMPLETE REVISED MODEL MEMORANDUM OF
17 UNDERSTANDING. THE REVISED MODEL MEMORANDUM OF UNDERSTANDING
18 SHALL BE INCORPORATED INTO THE PENNSYLVANIA CODE AND REPLACE
19 THE EXISTING MODEL MEMORANDUM OF UNDERSTANDING.

20 (2) A PROTOCOL FOR THE NOTIFICATION OF THE LAW
21 ENFORCEMENT AGENCY WHEN AN OFFENSE LISTED UNDER SECTION 1319-
22 B(B) (7) OCCURS ON SCHOOL PROPERTY. THE PROTOCOL SHALL INCLUDE
23 A REQUIREMENT THAT THE SCHOOL ENTITY IMMEDIATELY NOTIFY THE
24 LAW ENFORCEMENT AGENCY WHEN AN OFFENSE OCCURS.

25 (3) A PROTOCOL FOR THE NOTIFICATION OF THE LAW
26 ENFORCEMENT AGENCY AT THE DISCRETION OF THE CHIEF SCHOOL
27 ADMINISTRATOR REGARDING AN OFFENSE LISTED UNDER SECTION 1319-
28 B(B) (8) OR OTHER OFFENSE THAT OCCURS ON SCHOOL PROPERTY.

29 (4) A PROTOCOL FOR EMERGENCY AND NONEMERGENCY RESPONSE
30 BY THE LAW ENFORCEMENT DEPARTMENT. THE PROTOCOL SHALL INCLUDE

1 A REQUIREMENT THAT THE SCHOOL ENTITY NOTIFY AND SUPPLY THE
2 LAW ENFORCEMENT AGENCY WITH A COPY OF THE COMPREHENSIVE
3 DISASTER RESPONSE AND EMERGENCY PREPAREDNESS PLAN AS REQUIRED
4 BY 35 PA.C.S. § 7701(G) (RELATING TO DUTIES CONCERNING
5 DISASTER PREVENTION).

6 (5) PROCEDURES AND PROTOCOLS IF A STUDENT WITH A
7 DISABILITY COMMITS AN INCIDENT LISTED UNDER SECTION 1319-B(B)
8 (7) AND (8), INCLUDING PROCEDURES RELATED TO STUDENT BEHAVIOR
9 AS REQUIRED BY 22 PA. CODE § 14.104 (RELATING TO SPECIAL
10 EDUCATION PLANS) AND 14.133 (RELATING TO POSITIVE BEHAVIOR
11 SUPPORTS). PROTOCOLS MAY INCLUDE, BUT NEED NOT BE LIMITED TO,
12 TRAINING IN THE USE OF POSITIVE BEHAVIOR SUPPORTS AND DE-
13 ESCALATION TECHNIQUES FOR STUDENTS WITH DISABILITIES.

14 SECTION 1310.1-B. COUNTY SAFE SCHOOLS' COLLABORATIVE.

15 (A) ESTABLISHMENT.--A COUNTY, OR MULTICOUNTIES ACTING
16 JOINTLY, MAY ESTABLISH A SAFE SCHOOLS' COLLABORATIVE TO
17 DISTRIBUTE, PROMOTE AND DEVELOP BEST PRACTICES APPLICABLE TO
18 EMERGENCY RESPONSE INVOLVING SCHOOL SAFETY AND SECURITY THROUGH
19 AN EMERGENCY PREPAREDNESS PLANNING APPROACH. THE COLLABORATIVE
20 SHALL PROVIDE ASSISTANCE TO SCHOOL ENTITIES, LAW ENFORCEMENT AND
21 EMERGENCY RESPONDERS AND SHALL MEET AT LEAST QUARTERLY TO
22 DEVELOP SAFE AND SECURE SCHOOLS. THE COLLABORATIVE SHALL
23 IDENTIFY AND PROMOTE STRATEGIES, PRACTICES THAT ALIGN WITH THOSE
24 IDENTIFIED BY THE COMMITTEE AND PROGRAMS THAT SUPPORT SAFE
25 SCHOOLS FOR ALL STUDENTS AND STAFF AND RECOMMEND IMPLEMENTATION
26 AS PART OF A COUNTYWIDE OR MULTICOUNTY SAFE SCHOOLS' PLAN.

27 (B) TECHNICAL ASSISTANCE.--THE PENNSYLVANIA EMERGENCY
28 MANAGEMENT AGENCY IN COLLABORATION WITH THE PENNSYLVANIA STATE
29 POLICE AND THE OFFICE OF HOMELAND SECURITY SHALL PROVIDE
30 TECHNICAL ASSISTANCE TO A COUNTY OR SEVERAL COUNTIES TO

1 ESTABLISH A SAFE SCHOOLS' COLLABORATIVE UNDER SUBSECTION (A) TO
2 PROVIDE SCHOOL DISTRICTS, EMERGENCY RESPONDERS AND ALL RELEVANT
3 SCHOOL SAFETY PARTNERS WITH QUALITY INFORMATION, RESOURCES,
4 CONSULTATION AND TRAINING SERVICES.

5 (C) REPORTS.--THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY
6 IN COLLABORATION WITH THE PENNSYLVANIA STATE POLICE AND THE
7 OFFICE OF HOMELAND SECURITY SHALL REPORT TO THE COMMITTEE
8 ANNUALLY BEGINNING SEPTEMBER 1, 2024, AND SEPTEMBER 1 OF EACH
9 YEAR THEREAFTER, THE NUMBER OF COUNTIES THAT HAVE REQUESTED
10 TECHNICAL ASSISTANCE UNDER SUBSECTION (B).

11 (D) CONFIDENTIALITY OF REPORTS.--REPORTS TO THE COMMITTEE
12 UNDER THIS SECTION SHALL REMAIN CONFIDENTIAL AND SHALL NOT BE
13 SUBJECT TO INSPECTION AND DUPLICATION UNDER THE ACT OF FEBRUARY
14 14, 2008 (P.L.6, NO.3), KNOWN AS THE RIGHT-TO-KNOW LAW.

15 (E) CONFIDENTIALITY OF MEETINGS.--MEETINGS OF A COUNTY SAFE
16 SCHOOLS' COLLABORATIVE ARE NOT SUBJECT TO THE REQUIREMENTS OF 65
17 PA.C.S. CH. 7 (RELATING TO OPEN MEETINGS).

18 SECTION 1315.1-B. SCHOOL MENTAL HEALTH GRANTS FOR 2023-2024
19 SCHOOL YEAR.

20 (A) FUNDING.--FOR THE 2023-2024 SCHOOL YEAR, THE AMOUNT OF
21 MONEY ALLOCATED UNDER SECTION 1306-B(H) (12) (I) SHALL BE USED BY
22 THE COMMITTEE TO AWARD SCHOOL MENTAL HEALTH GRANTS TO SCHOOL
23 ENTITIES IN ACCORDANCE WITH THIS SECTION.

24 (B) PURPOSE OF GRANTS.--

25 (1) A SCHOOL ENTITY SHALL BE ELIGIBLE FOR SCHOOL MENTAL
26 HEALTH GRANTS TO MEET THE LEVEL 1 BASELINE CRITERIA FOR
27 BEHAVIORAL HEALTH AND SCHOOL CLIMATE CRITERIA ESTABLISHED BY
28 THE COMMITTEE.

29 (2) A SCHOOL ENTITY THAT HAS MET THE LEVEL 1 BASELINE
30 CRITERIA SHALL BE ELIGIBLE FOR SCHOOL MENTAL HEALTH GRANTS

1 FOR THE PURPOSES OUTLINED IN SECTION 1306-B(J) (6), (10),
2 (15), (17), (19), (20), (21), (23), (24), (25), (26), (27),
3 (28), (29) AND (30).

4 (C) AMOUNT OF GRANTS.--THE COMMITTEE SHALL AWARD SCHOOL
5 MENTAL HEALTH GRANTS IN THE FOLLOWING AMOUNTS TO ANY SCHOOL
6 ENTITY THAT SUBMITS AN APPLICATION:

7 (1) A SCHOOL DISTRICT SHALL RECEIVE \$100,000 PLUS AN
8 AMOUNT DETERMINED IN PARAGRAPH (3).

9 (2) AN INTERMEDIATE UNIT, AREA CAREER AND TECHNICAL
10 SCHOOL, CHARTER SCHOOL, REGIONAL CHARTER SCHOOL OR CYBER
11 CHARTER SCHOOL SHALL RECEIVE \$70,000.

12 (3) AN AMOUNT DETERMINED AS FOLLOWS:

13 (I) MULTIPLY THE 2021-2022 ADJUSTED AVERAGE DAILY
14 MEMBERSHIP FOR EACH SCHOOL DISTRICT BY THE DIFFERENCE
15 BETWEEN THE AMOUNT ALLOCATED IN SUBSECTION (A) AND THE
16 SUM OF THE AMOUNTS DISTRIBUTED UNDER PARAGRAPHS (1) AND
17 (2).

18 (II) DIVIDE THE PRODUCT FROM SUBPARAGRAPH (I) BY THE
19 2021-2022 ADJUSTED AVERAGE DAILY MEMBERSHIP FOR ALL
20 SCHOOL DISTRICTS.

21 (D) AVAILABILITY OF APPLICATIONS.--THE COMMITTEE SHALL MAKE
22 AN APPLICATION FOR GRANTS UNDER THIS SECTION AVAILABLE TO SCHOOL
23 ENTITIES NO LATER THAN 45 DAYS AFTER THE EFFECTIVE DATE OF THIS
24 SECTION. THE APPLICATION REQUIREMENTS SHALL BE LIMITED TO THE
25 SCHOOL ENTITY'S CONTACT INFORMATION, THE SPECIFIC PURPOSE OF THE
26 GRANT BASED UPON THE CATEGORIES SPECIFIED IN SUBSECTION (B) WITH
27 BOXES ON THE APPLICATION FOR THE APPLICANT TO INDICATE THE
28 SCHOOL ENTITY'S ANTICIPATED USE AND CERTIFICATION BY THE
29 APPLICANT THAT THE FUNDS WILL BE USED FOR THE STATED PURPOSE.

30 (E) EFFECT OF REVENUE RECEIVED.--GRANT MONEY RECEIVED UNDER

1 THIS SECTION MAY NOT BE INCLUDED WHEN CALCULATING THE AMOUNT TO
2 BE PAID UNDER SECTION 1725-A.

3 (F) AUDIT AND MONITORING.--THE COMMITTEE SHALL RANDOMLY
4 AUDIT AND MONITOR GRANT RECIPIENTS TO ENSURE THE APPROPRIATE USE
5 OF GRANT FUNDS AND COMPLIANCE WITH PROVISIONS OF THE GRANT
6 PROGRAM.

7 (G) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING
8 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
9 SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

10 "SCHOOL ENTITY." A SCHOOL DISTRICT, AREA CAREER AND
11 TECHNICAL SCHOOL, INTERMEDIATE UNIT, CHARTER SCHOOL, REGIONAL
12 CHARTER SCHOOL AND CYBER CHARTER SCHOOL.

13 SECTION 20. SECTION 1316-B(B) OF THE ACT, ADDED JULY 8, 2022
14 (P.L.620, NO.55), IS AMENDED TO READ:

15 SECTION 1316-B. SCHOOL SAFETY AND SECURITY COORDINATOR
16 TRAINING.

17 * * *

18 (B) REQUIRED TRAINING.--

19 (1) THE COMMITTEE SHALL ADOPT THE REQUIRED TRAINING
20 HOURS FOR THE TRAINING DEVELOPED UNDER SUBSECTION (A). THE
21 COMMITTEE MAY NOT REQUIRE MORE THAN SEVEN HOURS OF TRAINING
22 FOR THE SCHOOL SAFETY AND SECURITY COORDINATOR ANNUALLY. THE
23 TRAINING SHALL BE IN ADDITION TO OTHER TRAINING REQUIREMENTS
24 FOR SCHOOL ADMINISTRATORS.

25 (2) EMPLOYEES REQUIRED TO UNDERGO CONTINUING
26 PROFESSIONAL EDUCATION UNDER SECTION 1205.2 AND 1205.5 SHALL
27 RECEIVE CREDIT TOWARD THEIR CONTINUING PROFESSIONAL EDUCATION
28 REQUIREMENTS.

29 * * *

30 SECTION 21. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:

1 SECTION 1319-B. REPORTING AND MEMORANDUM OF UNDERSTANDING.

2 (A) DATA REPORTING AND ACCESS.--IN COLLABORATION AND
3 COORDINATION WITH THE COMMITTEE, THE DEPARTMENT SHALL COLLECT
4 INFORMATION AS REQUIRED BY THIS SECTION. THE COMMITTEE MAY
5 REQUEST INFORMATION COLLECTED BY THE DEPARTMENT UNDER THIS
6 SECTION. THE DEPARTMENT SHALL PROVIDE THE INFORMATION REQUESTED
7 NO LATER THAN 10 DAYS AFTER THE REQUEST DATE TO THE EXTENT
8 PERMITTED BY LAW.

9 (B) REPORTING BY CHIEF SCHOOL ADMINISTRATOR.--A CHIEF SCHOOL
10 ADMINISTRATOR SHALL REPORT TO THE DEPARTMENT BY JULY 31 OF EACH
11 YEAR ALL NEW INCIDENTS INVOLVING ACTS OF VIOLENCE, POSSESSION OF
12 A WEAPON OR POSSESSION, USE OR SALE OF CONTROLLED SUBSTANCES AS
13 DEFINED IN THE ACT OF APRIL 14, 1972 (P.L.233, NO.64), KNOWN AS
14 THE CONTROLLED SUBSTANCE, DRUG, DEVICE AND COSMETIC ACT, OR
15 POSSESSION, USE OR SALE OF ALCOHOL OR TOBACCO BY ANY PERSON ON
16 SCHOOL PROPERTY. THE REPORT SHALL INCLUDE ALL INCIDENTS
17 INVOLVING CONDUCT THAT CONSTITUTES A CRIMINAL OFFENSE LISTED
18 UNDER SUBSECTION (B) (7) AND (8). REPORTS, ON A FORM TO BE
19 DEVELOPED AND PROVIDED BY THE DEPARTMENT, IN COLLABORATION AND
20 COORDINATION WITH THE COMMITTEE, SHALL INCLUDE:

21 (1) THE AGE OR GRADE OF THE STUDENTS INVOLVED.

22 (2) THE NAME AND ADDRESS OF SCHOOL.

23 (3) THE CIRCUMSTANCES SURROUNDING THE INCIDENT,
24 INCLUDING, BUT NOT LIMITED TO, THE TYPE OF WEAPON, CONTROLLED
25 SUBSTANCE, ALCOHOL OR TOBACCO, THE DATE, TIME AND LOCATION OF
26 THE INCIDENT, IF A PERSON OTHER THAN A STUDENT IS INVOLVED IN
27 THE INCIDENT AND ANY RELATIONSHIP OF THE PERSON TO THE SCHOOL
28 ENTITY.

29 (4) THE RACE OF THE STUDENTS INVOLVED.

30 (5) WHETHER THE STUDENTS HAVE AN INDIVIDUALIZED

1 EDUCATION PLAN UNDER 20 U.S.C. CH.33 (RELATING TO EDUCATION
2 FOR INDIVIDUALS WITH DISABILITIES) AND, IF SO, THE TYPE OF
3 DISABILITY.

4 (6) ANY SANCTION IMPOSED BY THE SCHOOL.

5 (7) A LIST OF CRIMINAL OFFENSES WHICH MAY, AT A MINIMUM,
6 INCLUDE:

7 (I) THE FOLLOWING OFFENSES UNDER 18 PA.C.S.
8 (RELATING TO CRIMES AND OFFENSES):

9 SECTION 908 (RELATING TO PROHIBITED OFFENSIVE
10 WEAPONS).

11 SECTION 912 (RELATING TO POSSESSION OF WEAPON ON
12 SCHOOL PROPERTY).

13 CHAPTER 25 (RELATING TO CRIMINAL HOMICIDE).

14 SECTION 2702 (RELATING TO AGGRAVATED ASSAULT).

15 SECTION 2709.1 (RELATING TO STALKING).

16 SECTION 2901 (RELATING TO KIDNAPPING).

17 SECTION 2902 (RELATING TO UNLAWFUL RESTRAINT).

18 SECTION 3121 (RELATING TO RAPE).

19 SECTION 3122.1 (RELATING TO STATUTORY SEXUAL
20 ASSAULT).

21 SECTION 3123 (RELATING TO INVOLUNTARY DEVIATE SEXUAL
22 INTERCOURSE).

23 SECTION 3124.1 (RELATING TO SEXUAL ASSAULT).

24 SECTION 3124.2 (RELATING TO INSTITUTIONAL SEXUAL
25 ASSAULT).

26 SECTION 3125 (RELATING TO AGGRAVATED INDECENT
27 ASSAULT).

28 SECTION 3126 (RELATING TO INDECENT ASSAULT).

29 SECTION 3301 (RELATING TO ARSON AND RELATED
30 OFFENSES).

1 SECTION 3307 (RELATING TO INSTITUTIONAL VANDALISM)
2 WHEN THE OFFENSE IS A FELONY OF THE THIRD DEGREE.

3 SECTION 3502 (RELATING TO BURGLARY).

4 SECTION 3503(A) AND (B) (1) (V) (RELATING TO CRIMINAL
5 TRESPASS).

6 SECTION 5501 (RELATING TO RIOT).

7 SECTION 6110.1 (RELATING TO POSSESSION OF FIREARM BY
8 MINOR).

9 (II) THE POSSESSION, USE OR SALE OF A CONTROLLED
10 SUBSTANCE OR DRUG PARAPHERNALIA AS DEFINED IN THE
11 CONTROLLED SUBSTANCE, DRUG, DEVICE AND COSMETIC ACT.

12 (III) AN ATTEMPT, SOLICITATION OR CONSPIRACY TO
13 COMMIT AN OFFENSE LISTED IN SUBCLAUSES (I) AND (II).

14 (IV) AN OFFENSE FOR WHICH REGISTRATION IS REQUIRED
15 UNDER 42 PA.C.S. § 9799.55 (RELATING TO REGISTRATION).

16 (8) THE FOLLOWING OFFENSES UNDER 18 PA.C.S. AND ANY
17 ATTEMPT, SOLICITATION OR CONSPIRACY TO COMMIT ANY OF THESE
18 OFFENSES:

19 SECTION 2701 (RELATING TO SIMPLE ASSAULT).

20 SECTION 2705 (RELATING TO RECKLESSLY ENDANGERING ANOTHER
21 PERSON).

22 SECTION 2706 (RELATING TO TERRORISTIC THREATS).

23 SECTION 2709 (RELATING TO HARASSMENT).

24 SECTION 3127 (RELATING TO INDECENT EXPOSURE).

25 SECTION 3307 WHEN THE OFFENSE IS A MISDEMEANOR OF THE
26 SECOND DEGREE.

27 SECTION 3503(B) (1) (I), (II), (III) AND (IV), (B.1) AND
28 (B.2).

29 CHAPTER 39 (RELATING TO THEFT AND RELATED OFFENSES).

30 SECTION 5502 (RELATING TO FAILURE OF DISORDERLY PERSONS

1 TO DISPERSE UPON OFFICIAL ORDER).

2 SECTION 5503 (RELATING TO DISORDERLY CONDUCT).

3 SECTION 6305 (RELATING TO SALE OF TOBACCO PRODUCTS).

4 SECTION 6306.1 (RELATING TO USE OF TOBACCO PRODUCTS IN
5 SCHOOLS PROHIBITED).

6 SECTION 6308 (RELATING TO PURCHASE, CONSUMPTION,
7 POSSESSION OR TRANSPORTATION OF LIQUOR OR MALT OR BREWED
8 BEVERAGES).

9 (9) NOTIFICATION OF LAW ENFORCEMENT.

10 (10) REMEDIAL PROGRAMS INVOLVED.

11 (11) PARENTAL INVOLVEMENT REQUIRED.

12 (12) ARRESTS, CONVICTIONS AND ADJUDICATIONS, IF KNOWN.

13 (C) DUTIES.--PRIOR TO SUBMITTING THE REPORT REQUIRED UNDER
14 SUBSECTION (B), EACH CHIEF SCHOOL ADMINISTRATOR AND EACH LAW
15 ENFORCEMENT AGENCY HAVING JURISDICTION OVER SCHOOL PROPERTY OF
16 THE SCHOOL ENTITY SHALL COMPLY WITH THE FOLLOWING:

17 (1) NO LATER THAN 30 DAYS PRIOR TO THE DEADLINE FOR
18 SUBMITTING THE REPORT TO THE DEPARTMENT REQUIRED UNDER
19 SUBSECTION (B), THE CHIEF SCHOOL ADMINISTRATOR SHALL SUBMIT
20 THE REPORT TO THE LAW ENFORCEMENT AGENCY WITH JURISDICTION
21 OVER THE RELEVANT SCHOOL PROPERTY. THE LAW ENFORCEMENT AGENCY
22 SHALL REVIEW THE REPORT AND COMPARE THE DATA REGARDING
23 CRIMINAL OFFENSES AND NOTIFICATION OF LAW ENFORCEMENT TO
24 DETERMINE WHETHER THE REPORT ACCURATELY REFLECTS LAW
25 ENFORCEMENT INCIDENT DATA.

26 (2) NO LATER THAN 15 DAYS PRIOR TO THE DEADLINE FOR THE
27 CHIEF SCHOOL ADMINISTRATOR TO SUBMIT THE REPORT REQUIRED
28 UNDER SUBSECTION (B), THE LAW ENFORCEMENT AGENCY SHALL NOTIFY
29 THE CHIEF SCHOOL ADMINISTRATOR, IN WRITING, WHETHER THE
30 REPORT ACCURATELY REFLECTS LAW ENFORCEMENT INCIDENT DATA.

1 WHERE THE LAW ENFORCEMENT AGENCY DETERMINES THAT THE REPORT
2 ACCURATELY REFLECTS LAW ENFORCEMENT INCIDENT DATA, THE CHIEF
3 OF POLICE SHALL SIGN THE REPORT. IF THE LAW ENFORCEMENT
4 AGENCY DETERMINES THAT THE REPORT DOES NOT ACCURATELY REFLECT
5 LAW ENFORCEMENT INCIDENT DATA, THE LAW ENFORCEMENT AGENCY
6 SHALL INDICATE ANY DISCREPANCY BETWEEN THE REPORT AND LAW
7 ENFORCEMENT INCIDENT DATA.

8 (3) PRIOR TO SUBMITTING THE REPORT REQUIRED UNDER
9 SUBSECTION (B), THE CHIEF SCHOOL ADMINISTRATOR AND THE LAW
10 ENFORCEMENT AGENCY SHALL ATTEMPT TO RESOLVE ANY DISCREPANCY
11 BETWEEN THE REPORT AND LAW ENFORCEMENT INCIDENT DATA. IF A
12 DISCREPANCY REMAINS UNRESOLVED, THE LAW ENFORCEMENT AGENCY
13 SHALL NOTIFY THE CHIEF SCHOOL ADMINISTRATOR AND THE
14 DEPARTMENT IN WRITING.

15 (4) IF A LAW ENFORCEMENT AGENCY FAILS TO TAKE ACTION AS
16 REQUIRED UNDER PARAGRAPH (2) OR (3), THE CHIEF SCHOOL
17 ADMINISTRATOR SHALL SUBMIT THE REPORT REQUIRED UNDER
18 SUBSECTION (B) AND INDICATE THAT THE LAW ENFORCEMENT AGENCY
19 FAILED TO TAKE ACTION AS REQUIRED UNDER PARAGRAPH (2) OR (3),
20 AS APPLICABLE.

21 (D) ADVISORY COMMITTEE.--A CHIEF SCHOOL ADMINISTRATOR SHALL
22 FORM AN ADVISORY COMMITTEE COMPOSED OF RELEVANT SCHOOL STAFF,
23 INCLUDING, BUT NOT LIMITED TO, PRINCIPALS, SECURITY PERSONNEL,
24 SCHOOL SAFETY AND SECURITY COORDINATOR, EMERGENCY SERVICES
25 PERSONNEL, SCHOOL SECURITY PERSONNEL, GUIDANCE COUNSELORS AND
26 SPECIAL EDUCATION ADMINISTRATORS TO ASSIST IN THE DEVELOPMENT OF
27 A MEMORANDUM OF UNDERSTANDING UNDER THIS SECTION. IN
28 CONSULTATION WITH THE ADVISORY COMMITTEE, THE CHIEF SCHOOL
29 ADMINISTRATOR SHALL ENTER INTO A MEMORANDUM OF UNDERSTANDING
30 WITH LAW ENFORCEMENT AGENCIES HAVING JURISDICTION OVER SCHOOL

1 PROPERTY OF THE SCHOOL ENTITY. THE CHIEF SCHOOL ADMINISTRATOR
2 SHALL SUBMIT A COPY OF THE MEMORANDUM OF UNDERSTANDING TO THE
3 DEPARTMENT BY JUNE 30, 2024, AND BIENNIALY UPDATE AND RE-
4 EXECUTE A MEMORANDUM OF UNDERSTANDING WITH LAW ENFORCEMENT AND
5 FILE THE MEMORANDUM WITH THE DEPARTMENT ON A BIENNIAL BASIS. THE
6 MEMORANDUM OF UNDERSTANDING SHALL BE SIGNED BY THE CHIEF SCHOOL
7 ADMINISTRATOR, THE CHIEF OF POLICE OF THE LAW ENFORCEMENT AGENCY
8 WITH JURISDICTION OVER THE RELEVANT SCHOOL PROPERTY AND
9 PRINCIPALS OF EACH SCHOOL BUILDING OF THE SCHOOL ENTITY. THE
10 MEMORANDUM OF UNDERSTANDING SHALL COMPLY WITH THE REGULATIONS
11 PROMULGATED UNDER SECTION 1306.2-B AND SHALL ALSO INCLUDE:

12 (1) A PROCEDURE FOR LAW ENFORCEMENT AGENCY REVIEW OF THE
13 ANNUAL REPORT REQUIRED UNDER SUBSECTION (B) PRIOR TO THE
14 CHIEF SCHOOL ADMINISTRATOR FILING THE REPORT WITH THE
15 DEPARTMENT.

16 (2) A PROCEDURE FOR THE RESOLUTION OF A SCHOOL VIOLENCE
17 DATA DISCREPANCY IN THE REPORT PRIOR TO FILING THE REPORT
18 REQUIRED WITH THE DEPARTMENT.

19 (3) ADDITIONAL MATTERS PERTAINING TO CRIME PREVENTION
20 AGREED TO BETWEEN THE CHIEF SCHOOL ADMINISTRATOR AND THE LAW
21 ENFORCEMENT AGENCY.

22 (E) CONSTRUCTION.--PURSUANT TO 20 U.S.C. § 1415(K) (6)
23 (RELATING TO PROCEDURAL SAFEGUARDS), NOTHING IN SECTION 1302.1-A
24 OR THIS SECTION SHALL BE CONSTRUED TO PROHIBIT A SCHOOL ENTITY
25 FROM REPORTING A CRIME COMMITTED BY A CHILD WITH A DISABILITY TO
26 APPROPRIATE AUTHORITIES OR TO PREVENT STATE LAW ENFORCEMENT AND
27 JUDICIAL AUTHORITIES FROM EXERCISING THEIR RESPONSIBILITIES WITH
28 REGARD TO THE APPLICATION OF FEDERAL AND STATE LAW TO CRIMES
29 COMMITTED BY A CHILD WITH A DISABILITY.

30 (F) NONCOMPLIANCE.--IF A SCHOOL ENTITY OR LAW ENFORCEMENT

1 AGENCY FAILS TO COMPLY WITH THE PROVISIONS OF THIS SECTION, THE
2 SCHOOL ENTITY OR LAW ENFORCEMENT AGENCY MAY NOT BE AWARDED ANY
3 GRANT ADMINISTERED BY THE COMMITTEE UNTIL SUCH TIME AS THE
4 SCHOOL ENTITY OR LAW ENFORCEMENT AGENCY HAS COMPLIED WITH THIS
5 SECTION.

6 (G) REPORT TO THE GENERAL ASSEMBLY.--

7 (1) THE COMMITTEE SHALL REVIEW AND MAKE RECOMMENDATIONS
8 IN A REPORT TO THE GENERAL ASSEMBLY RELATING TO THE
9 FOLLOWING:

10 (I) ALL REQUIRED REPORTING UNDER THIS SECTION,
11 INCLUDING CONSIDERATION OF THE CRIMINAL OFFENSES UNDER
12 SUBSECTION (B) (7) AND (8).

13 (II) ALL REQUIRED REPORTING UNDER THIS ARTICLE AND
14 ARTICLE XIII-C.

15 (2) THE RECOMMENDATIONS SHALL, AT A MINIMUM, INCLUDE
16 WHETHER THE APPROPRIATE AMOUNT OF DATA IS BEING COLLECTED
17 AND, IF APPLICABLE, PROPOSED ELIMINATION OF ANY DUPLICATIVE
18 REPORTING REQUIREMENTS.

19 (3) THE COMMITTEE SHALL TRANSMIT NOTICE OF THE REPORTS
20 UNDER SUBPARAGRAPHS (1) AND (2) TO THE DEPARTMENT AND THE
21 GENERAL ASSEMBLY. THE COMMITTEE SHALL TRANSMIT NOTICE OF THE
22 REPORTS TO THE LEGISLATIVE REFERENCE BUREAU FOR PUBLICATION
23 IN THE NEXT AVAILABLE ISSUE OF THE PENNSYLVANIA BULLETIN.

24 SECTION 1320-B. SAFE SCHOOLS ADVOCATE IN SCHOOL DISTRICTS OF
25 THE FIRST CLASS.

26 (A) ESTABLISHMENT.--THE EXECUTIVE DIRECTOR OF THE COMMISSION
27 SHALL ESTABLISH, WITHIN THE COMMISSION, A SAFE SCHOOLS ADVOCATE
28 FOR EACH SCHOOL DISTRICT. THE SAFE SCHOOLS ADVOCATE SHALL NOT BE
29 SUBJECT TO 71 PA.C.S. PT. III (RELATING TO CIVIL SERVICE
30 REFORM). THE ADVOCATE SHALL ESTABLISH AND MAINTAIN AN OFFICE

1 WITHIN THE SCHOOL DISTRICT.

2 (B) POWERS AND DUTIES.--THE SAFE SCHOOLS ADVOCATE SHALL HAVE
3 THE POWER AND ITS DUTIES SHALL BE:

4 (1) TO MONITOR ON AN ANNUAL BASIS, THE SCHOOL DISTRICT'S
5 COMPLIANCE WITH THIS SECTION AND THE MEMORANDUM OF
6 UNDERSTANDING WITH THE APPROPRIATE LOCAL LAW ENFORCEMENT
7 AGENCY BY SELECTING, REVIEWING AND ANALYZING A SAMPLE OF THE
8 SCHOOL DISTRICT'S REPORTING UNDER SECTION 1319-B.

9 (2) FOR THE PURPOSES OF VICTIM ADVOCACY AND TO ASSIST IN
10 THE ANNUAL MONITORING PROCESS UNDER PARAGRAPH (1), TO HAVE
11 DIRECT ACCESS TO THE SCHOOL DISTRICT'S INTERNAL DOCUMENT
12 SUPPORTING THE INFORMATION REQUIRED TO BE REPORTED UNDER
13 SECTION 1319-B.

14 (3) TO MONITOR THE SCHOOL DISTRICT'S COMPLIANCE WITH THE
15 MANDATORY EXPULSION REQUIREMENTS OF SECTIONS 1317.2 AND
16 1318.1.

17 (4) TO RECEIVE INQUIRIES FROM SCHOOL STAFF AND PARENTS
18 OR GUARDIANS OF STUDENTS WHO ARE VICTIMS OF CONDUCT THAT
19 CONSTITUTES A CRIMINAL OFFENSE ON SCHOOL PROPERTY OR TO OR
20 FROM SCHOOL.

21 (5) TO ESTABLISH A PROTOCOL, IN CONSULTATION WITH THE
22 JUVENILE COURT JUDGES' COMMISSION, TO ASSURE TIMELY RECEIPT
23 BY THE SCHOOL DISTRICT OF INFORMATION REGARDING STUDENTS WHO
24 HAVE BEEN ADJUDICATED DELINQUENT UNDER 42 PA.C.S. § 6341(B.1)
25 (RELATING TO ADJUDICATION) AND TO MONITOR THE SCHOOL
26 DISTRICT'S USE OF THAT INFORMATION TO ENSURE THAT VICTIMS ARE
27 PROTECTED.

28 (6) TO ESTABLISH A PROGRAM TO ASSURE EXTENSIVE AND
29 CONTINUING PUBLIC AWARENESS OF INFORMATION REGARDING THE ROLE
30 OF THE ADVOCATE ON BEHALF OF VICTIMS OF CONDUCT THAT

1 CONSTITUTES A CRIMINAL OFFENSE ON SCHOOL PROPERTY OR TO OR
2 FROM SCHOOL, WHICH MAY INCLUDE THE MAILING OF INFORMATION TO
3 THE PARENTS OR GUARDIANS OF STUDENTS IN THE SCHOOL DISTRICT
4 OR OTHER FORMS OF COMMUNICATION.

5 (7) TO PREPARE AN ANNUAL REPORT REGARDING THE ACTIVITIES
6 OF THE ADVOCATE DURING THE PRIOR FISCAL YEAR AND ANY
7 RECOMMENDATION FOR REMEDIAL LEGISLATION, REGULATION OR SCHOOL
8 DISTRICT ADMINISTRATIVE REFORM, WHICH SHALL BE SUBMITTED TO
9 THE SCHOOL DISTRICT SUPERINTENDENT, THE SECRETARY, THE
10 EXECUTIVE DIRECTOR OF THE COMMISSION, THE CHAIRPERSON OF THE
11 EDUCATION COMMITTEE OF THE SENATE AND THE CHAIRPERSON OF THE
12 EDUCATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES BY AUGUST
13 15 OF EACH YEAR.

14 (C) ADDITIONAL DUTIES.--A SAFE SCHOOLS ADVOCATE SHALL, ON
15 BEHALF OF VICTIMS OF CONDUCT THAT CONSTITUTES A CRIMINAL OFFENSE
16 ON SCHOOL PROPERTY OR VICTIMS OF AT LEAST TWO INFRACTIONS OF THE
17 SCHOOL DISTRICT'S CODE OF CONDUCT:

18 (1) PROVIDE ASSISTANCE AND ADVICE, INCLUDING INFORMATION
19 ON SUPPORT SERVICES PROVIDED BY VICTIM ASSISTANCE OFFICES OF
20 THE APPROPRIATE DISTRICT ATTORNEY AND THROUGH LOCAL
21 COMMUNITY-BASED VICTIM SERVICE AGENCIES.

22 (2) PROVIDE INFORMATION TO THE PARENT OR GUARDIAN OF A
23 STUDENT VICTIM REGARDING THE DISCIPLINARY PROCESS AND ANY
24 ACTION ULTIMATELY TAKEN AGAINST THE STUDENT ACCUSED OF
25 COMMITTING THE CONDUCT THAT CONSTITUTES A CRIMINAL OFFENSE.

26 (3) IF THE POSSESSION OR USE OF A WEAPON IS INVOLVED,
27 ADVISE THE PARENT OR GUARDIAN OF THE VICTIM WHETHER THE
28 SCHOOL DISTRICT PROPERLY EXERCISED ITS DUTY UNDER SECTION
29 1317.2.

30 (4) IF THE ADVOCATE HAS RECEIVED A REQUEST BY THE PARENT

1 OR GUARDIAN OF THE VICTIM, ATTEND FORMAL DISCIPLINARY
2 PROCEEDINGS.

3 (5) WITH THE CONSENT OF THE PARENT OR GUARDIAN OF THE
4 VICTIM, PARTICIPATE AND PRESENT INFORMATION IN THE
5 DISCIPLINARY PROCEEDING, WHICH MAY INCLUDE:

6 (I) MAKING ORAL OR WRITTEN PRESENTATIONS, INCLUDING
7 TESTIMONY BY THE VICTIM OR THE PARENT OR GUARDIAN OF THE
8 VICTIM, REGARDING THE IMPACT ON THE VICTIM AND THE
9 VICTIM'S FAMILY AND THE APPROPRIATE DISCIPLINARY ACTION;
10 AND

11 (II) CONDUCTING DIRECT OR CROSS-EXAMINATION OF
12 WITNESSES.

13 (6) IF THE PERPETRATOR OF CONDUCT THAT CONSTITUTES A
14 CRIMINAL OFFENSE RETURNS TO SCHOOL AFTER PLACEMENT UNDER A
15 CONSENT DECREE, ADJUDICATION OF DELINQUENCY OR CONVICTION OF
16 A CRIMINAL OFFENSE, ASSIST THE PARENT OR GUARDIAN OF THE
17 VICTIM IN PROVIDING INPUT TO THE SCHOOL DISTRICT AND THE
18 APPROPRIATE JUVENILE OR CRIMINAL JUSTICE AUTHORITY TO ENSURE
19 THE VICTIM'S SAFETY ON SCHOOL PROPERTY.

20 (7) IF A SCHOOL DISTRICT HAS FAILED TO REPORT TO THE
21 APPROPRIATE LAW ENFORCEMENT AGENCY AS REQUIRED BY THE
22 MEMORANDUM OF UNDERSTANDING, REPORT THE ACT DIRECTLY.

23 (8) PROVIDE INFORMATION TO THE OFFICE OF THE DISTRICT
24 ATTORNEY REGARDING THE IMPACT OF THE CONDUCT THAT CONSTITUTES
25 A CRIMINAL OFFENSE ON THE VICTIM AND THE VICTIM'S FAMILY.

26 (D) NOTIFICATION.--

27 (1) UPON DISCOVERY OF THE COMMISSION OF CONDUCT THAT
28 CONSTITUTES A CRIMINAL OFFENSE UPON A STUDENT, THE SCHOOL
29 DISTRICT SHALL IMMEDIATELY NOTIFY THE SAFE SCHOOLS ADVOCATE
30 OF THE INCIDENT, INCLUDING THE DETAILS OF THE INCIDENT AND

1 ALL OF THE INDIVIDUALS INVOLVED, AND IMMEDIATELY NOTIFY THE
2 VICTIM, THE VICTIM'S PARENT OR LEGAL GUARDIAN.

3 (2) THE FORM OF THE NOTICE TO THE VICTIM OR THE VICTIM'S
4 PARENT OR LEGAL GUARDIAN SHALL BE DEVELOPED BY THE ADVOCATE
5 AND PROVIDED TO THE SCHOOL DISTRICT AND SHALL INCLUDE THE
6 ADDRESS AND TELEPHONE NUMBER OF THE ADVOCATE AND A BRIEF
7 DESCRIPTION OF THE PURPOSES AND FUNCTIONS OF THE SAFE SCHOOLS
8 ADVOCATE.

9 (3) THE PRINCIPAL OF EACH SCHOOL WITHIN THE SCHOOL
10 DISTRICT SHALL POST A NOTICE NOT LESS THAN 8 1/2" BY 11"
11 ENTITLED "SAFE SCHOOLS ADVOCATE" AT A PROMINENT LOCATION
12 WITHIN EACH SCHOOL BUILDING, WHERE NOTICES ARE USUALLY
13 POSTED.

14 (4) THE FORM OF THE NOTICE SHALL ALSO BE DEVELOPED BY
15 THE SAFE SCHOOLS ADVOCATE AND PROVIDED TO THE SCHOOL
16 DISTRICT.

17 (E) COOPERATION.--SCHOOL ADMINISTRATORS IN A SCHOOL DISTRICT
18 SHALL COOPERATE WITH THE SAFE SCHOOLS ADVOCATE TO IMPLEMENT THIS
19 SECTION AND PROVIDE THE ADVOCATE, UPON REQUEST, WITH ALL
20 AVAILABLE INFORMATION AUTHORIZED BY STATE LAW.

21 (F) APPLICABLE PROVISIONS.--THE ADVOCATE AND ALL EMPLOYEES
22 AND AGENTS OF THE SAFE SCHOOLS ADVOCATE SHALL BE SUBJECT TO AND
23 20 U.S.C. § 1232G (RELATING TO FAMILY EDUCATIONAL AND PRIVACY
24 RIGHTS) AND 34 CFR PT. 99 (RELATING TO FAMILY EDUCATIONAL RIGHTS
25 AND PRIVACY).

26 (G) LIMITATION.--THIS SECTION SHALL NOT APPLY TO THE EXTENT
27 THAT IT WOULD CONFLICT WITH THE REQUIREMENTS OF 20 U.S.C. CH. 33
28 (RELATING TO EDUCATION OF INDIVIDUALS WITH DISABILITIES) OR
29 OTHER APPLICABLE FEDERAL STATUTE OR REGULATION.

30 (H) STANDING.--

1 (1) IF A STUDENT IN A SCHOOL DISTRICT IS A VICTIM OF AN
2 ACT OF VIOLENCE INVOLVING A WEAPON ON SCHOOL DISTRICT
3 PROPERTY AND THE STUDENT WHO POSSESSED THE WEAPON WAS NOT
4 EXPELLED UNDER SECTION 1317.2, THE PARENT OR GUARDIAN OF THE
5 VICTIM SHALL HAVE STANDING TO INSTITUTE A LEGAL PROCEEDING TO
6 OBTAIN EXPULSION OF THE STUDENT.

7 (2) THE OFFICE OF GENERAL COUNSEL SHALL HAVE STANDING TO
8 BRING AN ACTION ON BEHALF OF A VICTIM OR THE PARENT OR
9 GUARDIAN OF A VICTIM OF AN ACT OF VIOLENCE IN A SCHOOL IN A
10 SCHOOL DISTRICT TO MODIFY, CLARIFY OR ELIMINATE A CONSENT
11 DECREE THAT IS RELATED TO DISCIPLINE IN THE SCHOOL DISTRICT
12 IF, IN CONSULTATION WITH THE ADVOCATE, THE OFFICE OF GENERAL
13 COUNSEL BELIEVES THAT THE ACTION IS IN THE BEST INTERESTS OF
14 THE STUDENTS OF THE SCHOOL DISTRICT.

15 (3) THE EXECUTIVE DIRECTOR OF THE COMMISSION, IN
16 CONSULTATION WITH THE GENERAL COUNSEL, MAY DESIGNATE A
17 PORTION OF THE FUNDS PROVIDED FOR THE SAFE SCHOOLS ADVOCATE:

18 (I) FOR CONTRACTS FOR LEGAL SERVICES TO ASSIST LOW-
19 INCOME PARENTS OR GUARDIANS OF VICTIMS TO OBTAIN LEGAL
20 SERVICES FOR PROCEEDINGS UNDER SUBSECTION (A).

21 (II) TO CHALLENGE A CONSENT DECREE UNDER SUBSECTION
22 (B) OR TO BRING AN ACTION UNDER THIS ACT.

23 (4) THE DESIGNATION OF ATTORNEYS TO RECEIVE FUNDS UNDER
24 THIS SUBSECTION SHALL BE WITHIN THE DISCRETION OF THE OFFICE
25 OF GENERAL COUNSEL AFTER CONSULTATION WITH THE SAFE SCHOOLS
26 ADVOCATE.

27 (5) DESIGNATED FUNDS NOT EXPENDED UNDER THIS SUBSECTION
28 SHALL LAPSE TO THE GENERAL FUND.

29 (6) LEGAL PROCEEDINGS UNDER THIS SECTION SHALL BE
30 CONDUCTED BY AN ATTORNEY DESIGNATED BY THE OFFICE OF GENERAL

1 COUNSEL IN CONSULTATION WITH THE SAFE SCHOOLS ADVOCATE. THE
2 ATTORNEY MUST BE A MEMBER OF THE BAR IN GOOD STANDING.

3 (I) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING
4 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
5 SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

6 "LOW-INCOME PARENT OR GUARDIAN." A PARENT WHOSE FAMILY
7 INCOME IS NO GREATER THAN 250% OF THE FEDERAL POVERTY LEVEL.

8 "SCHOOL DISTRICT." A SCHOOL DISTRICT OF THE FIRST CLASS.

9 "VICTIM." AN INDIVIDUAL AGAINST WHOM A CRIME HAS BEEN
10 COMMITTED OR ATTEMPTED AND WHO, AS A DIRECT RESULT OF THE
11 CRIMINAL ACT OR ATTEMPT, SUFFERS PHYSICAL OR MENTAL INJURY,
12 DEATH OR THE LOSS OF EARNINGS AS THOSE TERMS ARE DEFINED UNDER
13 SECTION 103 OF THE ACT OF NOVEMBER 24, 1998 (P.L.882, NO.111),
14 KNOWN AS THE CRIME VICTIMS ACT. THE TERM MAY INCLUDE AN
15 INDIVIDUAL EXERCISING SELF-DEFENSE WHEN ASSAULTED.

16 SECTION 1321-B. ENFORCEMENT.

17 (A) PROCEDURE.--

18 (1) IF A SCHOOL DISTRICT OF THE FIRST CLASS FAILS TO
19 COMPLY WITH THE REQUIREMENT TO PROVIDE INFORMATION TO THE
20 SAFE SCHOOLS ADVOCATE UNDER SECTION 1320-B, THE ADVOCATE
21 SHALL PROVIDE DOCUMENTATION OF THE FAILURE TO THE SECRETARY
22 OF EDUCATION AND THE COMMISSION.

23 (2) IF THE SECRETARY OF EDUCATION DETERMINES THAT THERE
24 IS NONCOMPLIANCE, THE SECRETARY SHALL DIRECT THE SCHOOL
25 DISTRICT OF THE FIRST CLASS TO TAKE CORRECTIVE ACTION. IF THE
26 SCHOOL DISTRICT OF THE FIRST CLASS FAILS TO TAKE CORRECTIVE
27 ACTION WITHIN 60 DAYS, THE SECRETARY SHALL NOTIFY THE
28 ADVOCATE AND THE OFFICE OF GENERAL COUNSEL. THE OFFICE OF
29 GENERAL COUNSEL, IN CONSULTATION WITH THE SAFE SCHOOLS
30 ADVOCATE, SHALL DESIGNATE AN ATTORNEY TO BRING AN ACTION IN A

1 COURT OF COMPETENT JURISDICTION TO OBTAIN COMPLIANCE.

2 (3) IF THE SECRETARY OF EDUCATION DETERMINES THAT THE
3 SCHOOL DISTRICT OF THE FIRST CLASS HAS COMPLIED WITH THE
4 REQUIREMENTS TO PROVIDE INFORMATION TO THE SAFE SCHOOLS
5 ADVOCATE, THE SECRETARY SHALL CONVENE A PUBLIC HEARING AT
6 WHICH THE SAFE SCHOOLS ADVOCATE SHALL BE PERMITTED TO TESTIFY
7 REGARDING THE ALLEGED NONCOMPLIANCE.

8 (4) LEGAL PROCEEDINGS UNDER THIS SUBSECTION SHALL BE
9 CONDUCTED BY AN ATTORNEY DESIGNATED BY THE OFFICE OF GENERAL
10 COUNSEL IN CONSULTATION WITH THE SAFE SCHOOLS ADVOCATE. THE
11 ATTORNEY MUST BE A MEMBER OF THE BAR IN GOOD STANDING.

12 (B) CONSTRUCTION OF ARTICLE AND OTHER LAWS.--NOTHING IN THIS
13 ARTICLE OR ANY OTHER PROVISION OF LAW SHALL BE CONSTRUED AS
14 GRANTING A RIGHT OF STATUS FOR OR PARTICIPATION BY THE SAFE
15 SCHOOLS ADVOCATE IN A GRIEVANCE OR ARBITRATION PROCEEDING
16 ARISING OUT OF A COLLECTIVE BARGAINING AGREEMENT.

17 SECTION 22. THE DEFINITION OF "THIRD-PARTY VENDOR" IN
18 SECTION 1301-C OF THE ACT IS AMENDED AND THE SECTION IS AMENDED
19 BY ADDING A DEFINITION TO READ:

20 SECTION 1301-C. DEFINITIONS.

21 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE
22 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
23 CONTEXT CLEARLY INDICATES OTHERWISE:

24 * * *

25 "COMMITTEE." THE SCHOOL SAFETY AND SECURITY COMMITTEE
26 ESTABLISHED UNDER SECTION 1302-B.

27 * * *

28 "THIRD-PARTY VENDOR." A COMPANY OR ENTITY APPROVED BY [THE
29 OFFICE FOR SAFE SCHOOLS UNDER SECTION 1302-A(B)(8) OR] THE
30 COMMISSION UNDER SECTION 1315-C(2) THAT PROVIDES SCHOOL SECURITY

1 SERVICES.

2 SECTION 23. SECTION 1302-C OF THE ACT IS AMENDED BY ADDING A
3 SUBSECTION TO READ:

4 SECTION 1302-C. SCHOOL POLICE OFFICERS.

5 * * *

6 (C) REPORTING.--

7 (1) A SCHOOL ENTITY OR NONPUBLIC SCHOOL THAT HAS APPLIED
8 TO THE COURT TO APPOINT A PERSON OR PERSONS TO ACT AS SCHOOL
9 POLICE OFFICERS UNDER SUBSECTION (A) ON OR AFTER THE
10 EFFECTIVE DATE OF THIS SUBSECTION SHALL, WITHIN 30 DAYS OF
11 APPROVAL OF THE APPOINTMENT FROM THE COURT, SUBMIT A COPY OF
12 THE COURT'S ORDER TO THE COMMITTEE.

13 (2) A SCHOOL ENTITY OR NONPUBLIC SCHOOL THAT HAS
14 PREVIOUSLY APPLIED TO THE COURT TO APPOINT A PERSON OR
15 PERSONS TO ACT AS SCHOOL POLICE OFFICERS PRIOR TO THE
16 EFFECTIVE DATE OF THIS SUBSECTION SHALL, WITHIN 120 DAYS OF
17 THE EFFECTIVE DATE OF THIS PARAGRAPH, SUBMIT A COPY OF THE
18 COURT'S ORDER RELATING TO THE APPOINTMENT OF EACH SCHOOL
19 POLICE OFFICER TO THE COMMITTEE.

20 (3) THE PROVISIONS OF SECTION 1305-B(E) SHALL APPLY TO
21 ANY DATA PROVIDED TO THE COMMITTEE UNDER THIS SUBSECTION.

22 SECTION 24. SECTIONS 1303-C, 1314-C(B) (3) (I) (C) AND 1502-
23 E(B) OF THE ACT ARE AMENDED TO READ:

24 SECTION 1303-C. ANNUAL REPORT.

25 A SCHOOL ENTITY OR NONPUBLIC SCHOOL WHICH EMPLOYS OR
26 CONTRACTS FOR A SCHOOL POLICE OFFICER SHALL REPORT ANNUALLY TO
27 THE DEPARTMENT, THE COMMITTEE AND THE COMMISSION THE FOLLOWING
28 INFORMATION REGARDING SCHOOL POLICE OFFICERS RECEIVING TRAINING
29 AS REQUIRED UNDER 53 PA.C.S. CH. 21 SUBCH. D (RELATING TO
30 MUNICIPAL POLICE EDUCATION AND TRAINING):

1 (1) THE IDENTITY OF THE SCHOOL ENTITY OR NONPUBLIC
2 SCHOOL AND THE NUMBER OF SCHOOL POLICE OFFICERS EMPLOYED OR
3 CONTRACTED BY THE SCHOOL ENTITY OR NONPUBLIC SCHOOL.

4 (2) THE MUNICIPALITIES COMPRISING THE SCHOOL ENTITY OR
5 IN WHICH THE NONPUBLIC SCHOOL IS LOCATED.

6 (3) THE DATE AND TYPE OF TRAINING PROVIDED TO EACH
7 SCHOOL POLICE OFFICER.

8 SECTION 1314-C. SCHOOL SECURITY GUARDS.

9 * * *

10 (B) TRAINING.--THE FOLLOWING SHALL APPLY:

11 * * *

12 (3) AN ARMED SCHOOL SECURITY GUARD WHO IS EMPLOYED OR
13 CONTRACTED BY A SCHOOL ENTITY OR NONPUBLIC SCHOOL BEFORE
14 SEPTEMBER 2, 2019, SHALL HAVE UNTIL FEBRUARY 28, 2020, TO
15 COMPLETE THE INSTRUCTION UNDER PARAGRAPH (1) UNLESS AN
16 EXTENSION IS APPROVED THROUGH THE FOLLOWING PROCESS:

17 (I) THE GOVERNING BODY OF A SCHOOL ENTITY OR
18 NONPUBLIC SCHOOL MAY APPROVE AN EXTENSION OF THE DEADLINE
19 SPECIFIED IN THIS PARAGRAPH FOR ARMED SCHOOL SECURITY
20 GUARDS TO COMPLETE THE REQUIRED INSTRUCTION DUE TO A
21 HARDSHIP IN COMPLYING WITH THE DEADLINE. THE DEADLINE MAY
22 BE EXTENDED TO NO LATER THAN THE BEGINNING OF THE 2020-
23 2021 SCHOOL YEAR. THE FOLLOWING SHALL APPLY:

24 * * *

25 (C) THE SCHOOL ENTITY OR NONPUBLIC SCHOOL SHALL
26 SUBMIT THE APPROVED HARDSHIP EXTENSION TO [THE OFFICE
27 OF SAFE SCHOOLS WITHIN] THE DEPARTMENT NOT LATER THAN
28 15 DAYS FROM THE DATE OF APPROVAL. ANY DOCUMENTATION
29 SUBMITTED UNDER THIS CLAUSE MAY NOT BE SUBJECT TO
30 INSPECTION AND DUPLICATION UNDER THE ACT OF FEBRUARY

1 14, 2008 (P.L.6, NO.3), KNOWN AS THE RIGHT-TO-KNOW
2 LAW.

3 * * *

4 Section 1502-E. Character education program.

5 * * *

6 (b) Curriculum contents.--The program may include and teach
7 the following basic civil values and character traits:

8 (1) Trustworthiness, including honesty, integrity,
9 reliability and loyalty.

10 (2) Respect, including regard for others, tolerance and
11 courtesy.

12 (3) Responsibility, including hard work, economic self-
13 reliance, accountability, diligence, perseverance and self-
14 control.

15 (4) Fairness, including justice, consequences of [bad
16 behavior] behaviors that impede the learning of self or
17 others, principles of nondiscrimination and freedom from
18 prejudice.

19 (5) Caring, including kindness, empathy, compassion,
20 consideration, generosity and charity.

21 (6) Citizenship, including love of country, concern for
22 the common good, respect for authority and the law and
23 community mindedness.

24 * * *

25 SECTION 25. SECTION 1913-A(B) (1.6) OF THE ACT IS AMENDED BY <--
26 ADDING A SUBPARAGRAPH TO READ:

27 SECTION 1913-A. FINANCIAL PROGRAM; REIMBURSEMENT OF
28 PAYMENTS.--* * *

29 (B) * * *

30 (1.6) FOR THE 2006-2007 FISCAL YEAR AND EACH FISCAL YEAR

1 THEREAFTER, THE PAYMENT FOR A COMMUNITY COLLEGE SHALL CONSIST OF
2 THE FOLLOWING:

3 * * *

4 (XVIII) FOR THE 2023-2024 FISCAL YEAR, EACH COMMUNITY
5 COLLEGE SHALL RECEIVE AN AMOUNT EQUAL TO THE FOLLOWING:

6 (A) AN AMOUNT EQUAL TO THE REIMBURSEMENT FOR OPERATING COSTS
7 RECEIVED IN FISCAL YEAR 2022-2023 UNDER SUBPARAGRAPHS (XVI) (A)
8 AND (C) AND (XVII).

9 (B) AN AMOUNT EQUAL TO THE ECONOMIC DEVELOPMENT STIPEND
10 RECEIVED IN FISCAL YEAR 2022-2023 UNDER SUBPARAGRAPH (XVI) (B).

11 (C) FOR EACH COMMUNITY COLLEGE THAT RECEIVES FUNDING UNDER
12 CLAUSES (A) OR (B), AN ADDITIONAL AMOUNT FOR OPERATING COSTS
13 DETERMINED FOR EACH COMMUNITY COLLEGE, AS FOLLOWS:

14 (I) MULTIPLY THE AUDITED FULL-TIME EQUIVALENT ENROLLMENT AS
15 VERIFIED UNDER SUBSECTION (K.1) FOR THE MOST RECENT YEAR
16 AVAILABLE FOR THE COMMUNITY COLLEGE BY \$5,130,000.

17 (II) DIVIDE THE PRODUCT IN SUBCLAUSE (I) BY THE SUM OF THE
18 AUDITED FULL-TIME EQUIVALENT ENROLLMENT AS VERIFIED UNDER
19 SUBSECTION (K.1) FOR THE MOST RECENT YEAR AVAILABLE FOR ALL
20 COMMUNITY COLLEGES THAT RECEIVE FUNDING UNDER SUBPARAGRAPHS (A)
21 AND (B).

22 * * *

23 SECTION 25.1. THE DEFINITIONS OF "EDUCATIONAL IMPROVEMENT
24 ORGANIZATION," "OPPORTUNITY SCHOLARSHIP ORGANIZATION," "PRE-
25 KINDERGARTEN SCHOLARSHIP ORGANIZATION" AND "SCHOLARSHIP
26 ORGANIZATION" IN SECTION 2002-B OF THE ACT ARE AMENDED TO READ:
27 SECTION 2002-B. DEFINITIONS.

28 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE
29 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
30 CONTEXT CLEARLY INDICATES OTHERWISE:

1 * * *

2 "EDUCATIONAL IMPROVEMENT ORGANIZATION." A NONPROFIT ENTITY
3 WHICH:

4 (1) IS EXEMPT FROM FEDERAL TAXATION UNDER SECTION 501(C)
5 (3) OF THE INTERNAL REVENUE CODE OF 1986 (PUBLIC LAW 99-514,
6 26 U.S.C. § 1 ET SEQ.); AND

7 (2) CONTRIBUTES AT LEAST [80%] 90% OF ITS ANNUAL
8 RECEIPTS AS GRANTS TO A PUBLIC SCHOOL, A CHARTERED SCHOOL AS
9 DEFINED IN SECTION 1376.1, OR A PRIVATE SCHOOL APPROVED UNDER
10 SECTION 1376, FOR INNOVATIVE EDUCATIONAL PROGRAMS.

11 FOR PURPOSES OF THIS DEFINITION, A NONPROFIT ENTITY
12 "CONTRIBUTES" ITS ANNUAL CASH RECEIPTS WHEN IT EXPENDS OR
13 OTHERWISE IRREVOCABLY ENCUMBERS THOSE FUNDS FOR EXPENDITURE
14 DURING THE THEN-CURRENT FISCAL YEAR OF THE NONPROFIT ENTITY OR
15 DURING THE NEXT SUCCEEDING FISCAL YEAR OF THE NONPROFIT ENTITY.
16 A NONPROFIT ENTITY SHALL INCLUDE A SCHOOL DISTRICT FOUNDATION,
17 PUBLIC SCHOOL FOUNDATION, CHARTER SCHOOL FOUNDATION OR CYBER
18 CHARTER SCHOOL FOUNDATION.

19 * * *

20 "OPPORTUNITY SCHOLARSHIP ORGANIZATION." A NONPROFIT ENTITY
21 WHICH:

22 (1) IS EXEMPT FROM FEDERAL TAXATION UNDER SECTION 501(C)
23 (3) OF THE INTERNAL REVENUE CODE OF 1986 (PUBLIC LAW 99-514,
24 26 U.S.C. § 1 ET SEQ.); AND

25 (2) CONTRIBUTES AT LEAST [80%] 90% OF THE ENTITY'S
26 ANNUAL CASH RECEIPTS TO AN OPPORTUNITY SCHOLARSHIP PROGRAM.
27 FOR THE PURPOSES OF THIS DEFINITION, A NONPROFIT ENTITY
28 CONTRIBUTES THE ENTITY'S CASH RECEIPTS TO AN OPPORTUNITY
29 SCHOLARSHIP PROGRAM WHEN THE ENTITY EXPENDS OR OTHERWISE
30 IRREVOCABLY ENCUMBERS THOSE FUNDS FOR DISTRIBUTION DURING THE

1 THEN-CURRENT FISCAL YEAR OF THE NONPROFIT ENTITY OR DURING THE
2 NEXT SUCCEEDING FISCAL YEAR OF THE NONPROFIT ENTITY.

3 * * *

4 "PRE-KINDERGARTEN SCHOLARSHIP ORGANIZATION." A NONPROFIT
5 ENTITY WHICH:

6 (1) IS EXEMPT FROM FEDERAL TAXATION UNDER SECTION 501(C)
7 (3) OF THE INTERNAL REVENUE CODE OF 1986 OR IS OPERATED AS A
8 SEPARATE SEGREGATED FUND BY A SCHOLARSHIP ORGANIZATION THAT
9 HAS BEEN QUALIFIED UNDER SECTION 2003-B; AND

10 (2) CONTRIBUTES AT LEAST [80%] 90% OF ITS ANNUAL CASH
11 RECEIPTS TO A PRE-KINDERGARTEN SCHOLARSHIP PROGRAM BY
12 EXPENDING OR OTHERWISE IRREVOCABLY ENCUMBERING THOSE FUNDS
13 FOR DISTRIBUTION DURING THE THEN-CURRENT FISCAL YEAR OF THE
14 ORGANIZATION OR DURING THE NEXT SUCCEEDING FISCAL YEAR OF THE
15 ORGANIZATION.

16 * * *

17 "SCHOLARSHIP ORGANIZATION." A NONPROFIT ENTITY WHICH:

18 (1) IS EXEMPT FROM FEDERAL TAXATION UNDER SECTION 501(C)
19 (3) OF THE INTERNAL REVENUE CODE OF 1986; AND

20 (2) CONTRIBUTES AT LEAST [80%] 90% OF ITS ANNUAL CASH
21 RECEIPTS TO A SCHOLARSHIP PROGRAM.

22 FOR PURPOSES OF THIS DEFINITION, A NONPROFIT ENTITY

23 "CONTRIBUTES" ITS ANNUAL CASH RECEIPTS TO A SCHOLARSHIP PROGRAM
24 WHEN IT EXPENDS OR OTHERWISE IRREVOCABLY ENCUMBERS THOSE FUNDS
25 FOR DISTRIBUTION DURING THE THEN-CURRENT FISCAL YEAR OF THE
26 NONPROFIT ENTITY OR DURING THE NEXT SUCCEEDING FISCAL YEAR OF
27 THE NONPROFIT ENTITY.

28 * * *

29 SECTION 26. SECTION 2003-B(C) INTRODUCTORY PARAGRAPH, (1)
30 AND (2) AND (D.1)(2) INTRODUCTORY PARAGRAPH OF THE ACT, AMENDED

1 JULY 8, 2022 (P.L.620, NO.55), ARE AMENDED AND SUBSECTIONS (C),
2 (D) AND (D.1) ARE AMENDED BY ADDING PARAGRAPHS TO READ:
3 SECTION 2003-B. QUALIFICATION AND APPLICATION BY ORGANIZATIONS.

4 * * *

5 (C) SCHOLARSHIP ORGANIZATIONS AND PRE-KINDERGARTEN
6 SCHOLARSHIP ORGANIZATIONS.--A SCHOLARSHIP ORGANIZATION OR PRE-
7 KINDERGARTEN SCHOLARSHIP ORGANIZATION MUST CERTIFY TO THE
8 DEPARTMENT THAT THE ORGANIZATION IS ELIGIBLE TO PARTICIPATE IN
9 THE EDUCATIONAL IMPROVEMENT TAX CREDIT PROGRAM ESTABLISHED UNDER
10 THIS ARTICLE AND MUST AGREE TO ANNUALLY REPORT THE FOLLOWING
11 INFORMATION BASED ON THE IMMEDIATELY PRECEDING FISCAL YEAR TO
12 THE DEPARTMENT BY NOVEMBER 1 OF EACH YEAR:

13 (1) FOR EACH FISCAL YEAR THROUGH THE 2024-2025 FISCAL
14 YEAR:

15 (I) THE NUMBER OF SCHOLARSHIPS AWARDED DURING THE
16 IMMEDIATELY PRECEDING SCHOOL YEAR TO ELIGIBLE PRE-
17 KINDERGARTEN STUDENTS.

18 (II) THE TOTAL AND AVERAGE AMOUNTS OF THE
19 SCHOLARSHIPS AWARDED DURING THE IMMEDIATELY PRECEDING
20 SCHOOL YEAR TO ELIGIBLE PRE-KINDERGARTEN STUDENTS.

21 (III) THE NUMBER OF SCHOLARSHIPS AWARDED DURING THE
22 IMMEDIATELY PRECEDING SCHOOL YEAR TO ELIGIBLE STUDENTS IN
23 GRADES KINDERGARTEN THROUGH EIGHT.

24 (IV) THE TOTAL AND AVERAGE AMOUNTS OF THE
25 SCHOLARSHIPS AWARDED DURING THE IMMEDIATELY PRECEDING
26 SCHOOL YEAR TO ELIGIBLE STUDENTS IN GRADES KINDERGARTEN
27 THROUGH EIGHT.

28 (V) THE NUMBER OF SCHOLARSHIPS AWARDED DURING THE
29 IMMEDIATELY PRECEDING SCHOOL YEAR TO ELIGIBLE STUDENTS IN
30 GRADES NINE THROUGH 12.

1 (VI) THE TOTAL AND AVERAGE AMOUNTS OF THE
2 SCHOLARSHIPS AWARDED DURING THE IMMEDIATELY PRECEDING
3 SCHOOL YEAR TO ELIGIBLE STUDENTS IN GRADES NINE THROUGH
4 12.

5 (VII) WHERE THE SCHOLARSHIP ORGANIZATION OR PRE-
6 KINDERGARTEN SCHOLARSHIP ORGANIZATION COLLECTS
7 INFORMATION ON A COUNTY-BY-COUNTY BASIS, THE TOTAL NUMBER
8 AND THE TOTAL AMOUNT OF SCHOLARSHIPS AWARDED DURING THE
9 IMMEDIATELY PRECEDING SCHOOL YEAR TO RESIDENTS OF EACH
10 COUNTY IN WHICH THE SCHOLARSHIP ORGANIZATION OR PRE-
11 KINDERGARTEN SCHOLARSHIP ORGANIZATION AWARDED
12 SCHOLARSHIPS.

13 (VIII) THE TOTAL NUMBER OF SCHOLARSHIP APPLICATIONS
14 PROCESSED AND THE AMOUNTS OF ANY APPLICATION FEES
15 CHARGED, EITHER PER SCHOLARSHIP APPLICATION OR IN THE
16 AGGREGATE THROUGH A THIRD-PARTY PROCESSOR.

17 (IX) THE ORGANIZATION'S FEDERAL FORM 990 OR OTHER
18 FEDERAL FORM INDICATING THE TAX STATUS OF THE
19 ORGANIZATION FOR FEDERAL TAX PURPOSES, IF ANY, AND A COPY
20 OF A COMPILATION, REVIEW OR AUDIT OF THE ORGANIZATION'S
21 FINANCIAL STATEMENTS CONDUCTED BY A CERTIFIED PUBLIC
22 ACCOUNTING FIRM.

23 (1.1) FOR THE 2025-2026 FISCAL YEAR AND EACH FISCAL YEAR
24 THEREAFTER:

25 (I) FOR EACH SCHOLARSHIP AWARD GIVEN TO AN
26 APPLICANT:

27 (A) AN INDICATOR OF WHETHER THE APPLICANT WAS AN
28 ELIGIBLE STUDENT OR AN ELIGIBLE STUDENT WITH A
29 DISABILITY.

30 (B) AN INDICATOR OF WHETHER THE APPLICANT WAS IN

1 GRADES KINDERGARTEN THROUGH EIGHT OR GRADES NINE
2 THROUGH 12.

3 (C) THE DOLLAR AMOUNT OF THE SCHOLARSHIP AWARD.

4 (D) FOR THE YEAR IN WHICH THE SCHOLARSHIP AWARD
5 WAS USED:

6 (I) THE NAME OF THE APPLICANT'S SCHOOL
7 DISTRICT OF RESIDENCE.

8 (II) THE NAME OF THE SCHOOL ENTITY THAT THE
9 APPLICANT ATTENDED.

10 (II) THE INFORMATION PROVIDED UNDER SUBPARAGRAPH (I)
11 SHALL NOT INCLUDE PERSONALLY IDENTIFIABLE INFORMATION.

12 (2) THE INFORMATION REQUIRED UNDER [PARAGRAPH (1)]
13 PARAGRAPHS (1) AND (1.1) SHALL BE SUBMITTED ON A FORM
14 PROVIDED BY THE DEPARTMENT. NO LATER THAN SEPTEMBER 1 OF EACH
15 YEAR, THE DEPARTMENT SHALL ANNUALLY DISTRIBUTE SUCH SAMPLE
16 FORMS, TOGETHER WITH THE FORMS ON WHICH THE REPORTS ARE
17 REQUIRED TO BE MADE, TO EACH LISTED SCHOLARSHIP ORGANIZATION
18 AND PRE-KINDERGARTEN SCHOLARSHIP ORGANIZATION.

19 (2.1) BEGINNING WITH THE ANNUAL REPORT DUE NOVEMBER 1,
20 2026, THE DEPARTMENT SHALL ANNUALLY POST THE INFORMATION
21 REQUIRED UNDER PARAGRAPH (1.1) IN A DOWNLOADABLE SPREADSHEET
22 ON THE DEPARTMENT'S PUBLICLY ACCESSIBLE INTERNET WEBSITE.

23 * * *

24 (D) EDUCATIONAL IMPROVEMENT ORGANIZATION.--

25 * * *

26 (2.1) THE DEPARTMENT SHALL ANNUALLY POST THE INFORMATION
27 REQUIRED UNDER PARAGRAPH (1) (I), (II), (III) AND (IV) IN A
28 DOWNLOADABLE SPREADSHEET ON THE DEPARTMENT'S PUBLICLY
29 ACCESSIBLE INTERNET WEBSITE.

30 * * *

1 (D.1) OPPORTUNITY SCHOLARSHIP ORGANIZATIONS.--

2 * * *

3 (2) [AN] FOR EACH FISCAL YEAR THROUGH THE 2024-2025
4 FISCAL YEAR, AN OPPORTUNITY SCHOLARSHIP ORGANIZATION MUST
5 AGREE TO REPORT THE FOLLOWING INFORMATION ON A FORM PROVIDED
6 BY THE DEPARTMENT BY NOVEMBER 1 OF EACH YEAR:

7 * * *

8 (2.1) FOR THE 2025-2026 FISCAL YEAR AND EACH FISCAL YEAR
9 THEREAFTER, AN OPPORTUNITY SCHOLARSHIP ORGANIZATION MUST
10 AGREE TO REPORT THE FOLLOWING INFORMATION ON A FORM PROVIDED
11 BY THE DEPARTMENT BY NOVEMBER 1 OF EACH YEAR:

12 (I) FOR EACH SCHOLARSHIP AWARD GIVEN TO AN
13 APPLICANT:

14 (A) AN INDICATOR OF WHETHER THE APPLICANT WAS AN
15 ELIGIBLE STUDENT OR AN ELIGIBLE STUDENT WITH A
16 DISABILITY.

17 (B) AN INDICATOR OF WHETHER THE APPLICANT WAS IN
18 GRADES KINDERGARTEN THROUGH EIGHT OR GRADES NINE
19 THROUGH 12.

20 (C) THE DOLLAR AMOUNT OF THE SCHOLARSHIP AWARD.

21 (D) FOR THE YEAR IN WHICH THE SCHOLARSHIP AWARD
22 WAS USED:

23 (I) THE NAME OF THE APPLICANT'S SCHOOL
24 DISTRICT OF RESIDENCE.

25 (II) THE NAME OF THE SCHOOL ENTITY THAT THE
26 APPLICANT ATTENDED.

27 (II) THE INFORMATION PROVIDED UNDER SUBPARAGRAPH (I)
28 MAY NOT INCLUDE PERSONALLY IDENTIFIABLE INFORMATION.

29 * * *

30 (3.1) BEGINNING WITH THE ANNUAL REPORT DUE NOVEMBER 1,

1 2026, THE DEPARTMENT SHALL ANNUALLY POST THE INFORMATION
2 REQUIRED UNDER PARAGRAPH (2.1) IN A DOWNLOADABLE SPREADSHEET
3 ON THE DEPARTMENT'S PUBLICLY ACCESSIBLE INTERNET WEBSITE.

4 * * *

5 SECTION 27. SECTION 2006-B(A) OF THE ACT, AMENDED JULY 8,
6 2022 (P.L.620, NO.55), IS AMENDED TO READ:

7 SECTION 2006-B. LIMITATIONS.

8 (A) AMOUNT.--

9 (1) THE TOTAL AGGREGATE AMOUNT OF ALL TAX CREDITS
10 APPROVED FOR CONTRIBUTIONS FROM BUSINESS FIRMS TO SCHOLARSHIP
11 ORGANIZATIONS, EDUCATIONAL IMPROVEMENT ORGANIZATIONS AND PRE-
12 KINDERGARTEN SCHOLARSHIP ORGANIZATIONS SHALL NOT EXCEED
13 ~~[\$340,000,000]~~ \$470,000,000 IN A FISCAL YEAR. THE FOLLOWING
14 SHALL APPLY:

15 (I) NO LESS THAN ~~[\$263,000,000]~~ \$325,000,000 OF THE
16 TOTAL AGGREGATE AMOUNT SHALL BE USED TO PROVIDE TAX
17 CREDITS FOR CONTRIBUTIONS FROM BUSINESS FIRMS TO
18 SCHOLARSHIP ORGANIZATIONS.

19 (II) NO LESS THAN ~~[\$44,500,000]~~ \$54,500,000 OF THE
20 TOTAL AGGREGATE AMOUNT SHALL BE USED TO PROVIDE TAX
21 CREDITS FOR CONTRIBUTIONS FROM BUSINESS FIRMS TO
22 EDUCATIONAL IMPROVEMENT ORGANIZATIONS.

23 (III) THE TOTAL AGGREGATE AMOUNT OF ALL TAX CREDITS
24 APPROVED FOR CONTRIBUTIONS FROM BUSINESS FIRMS TO PRE-
25 KINDERGARTEN SCHOLARSHIP ORGANIZATIONS SHALL NOT EXCEED
26 ~~[\$20,500,000]~~ \$30,500,000 IN A FISCAL YEAR.

27 (IV) NO LESS THAN ~~[\$12,000,000]~~ \$60,000,000 OF THE
28 TOTAL AGGREGATE AMOUNT SHALL BE USED TO PROVIDE TAX
29 CREDITS FOR CONTRIBUTIONS FROM BUSINESS FIRMS TO INCREASE
30 THE SCHOLARSHIP OR PRE-KINDERGARTEN SCHOLARSHIP BY UP TO

1 \$2,000 OR, IN THE CASE OF A SCHOLARSHIP FOR A STUDENT
2 ATTENDING A SECONDARY SCHOOL, BY UP TO \$4,000, FOR A
3 STUDENT ATTENDING AN ECONOMICALLY DISADVANTAGED SCHOOL,
4 TO THE EXTENT THAT THE TOTAL AMOUNT OF SCHOLARSHIPS, PRE-
5 KINDERGARTEN SCHOLARSHIPS AND OPPORTUNITY SCHOLARSHIPS
6 WILL NOT EXCEED THE LESSER OF \$8,500 OR THE SCHOOL'S
7 TUITION.

8 (2) THE TOTAL AGGREGATE AMOUNT OF ALL TAX CREDITS
9 APPROVED FOR CONTRIBUTIONS FROM BUSINESS FIRMS TO OPPORTUNITY
10 SCHOLARSHIP ORGANIZATIONS SHALL NOT EXCEED [~~\$65,000,000~~
11 \$85,000,000 IN A FISCAL YEAR.

12 * * *

13 SECTION 28. SECTION 2108 OF THE ACT IS AMENDED TO READ:

14 Section 2108. Qualifications of Principals and Teachers.--

15 The board of public education in each school district of the
16 first class shall prescribe the mode or modes of determining the
17 qualifications of applicants for positions as principals or
18 teachers in the schools of the district, and shall designate the
19 kinds or grades of teachers' certificates which may or shall be
20 used in the district, together with the scholastic,
21 professional, and personal qualifications required for each kind
22 or grade of certificate.

23 No certificate shall be granted to any person who is not of
24 good moral character, or to any person who shall not first have
25 presented a certificate, from a physician recognized by the
26 board of public education as competent for the purpose, setting
27 forth that said applicant is neither mentally nor physically
28 disqualified by reason of tuberculosis, or any other chronic or
29 acute physical [~~defect~~] impairment, from successfully performing
30 the duties of a teacher.

1 SECTION 29. THE ACT IS AMENDED BY ADDING A SECTION TO READ: <--

2 SECTION 2327. STATE AID FOR FISCAL YEAR 2023-2024.

3 NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY,
4 FROM MONEY APPROPRIATED FOR A SUBSIDY TO PUBLIC LIBRARIES, FUNDS
5 SHALL BE DISTRIBUTED IN FISCAL YEAR 2023-2024 AS FOLLOWS:

6 (1) THE STATE LIBRARIAN SHALL DISTRIBUTE \$6,717 TO EACH
7 DISTRICT LIBRARY CENTER THAT RECEIVED LESS THAN THE AMOUNT
8 SPECIFIED UNDER 24 PA.C.S. § 9338(B) (2) (RELATING TO DISTRICT
9 LIBRARY CENTER AID) IN FISCAL YEAR 2022-2023 FROM FUNDS
10 ALLOCATED UNDER SECTION 2326(1).

11 (2) ALL FUNDS REMAINING AFTER THE DISTRIBUTION UNDER
12 PARAGRAPH (1) SHALL BE DISTRIBUTED TO EACH LIBRARY UNDER THE
13 FOLLOWING FORMULA:

14 (I) DIVIDE THE SUM OF THE AMOUNT OF FUNDING THE
15 LIBRARY RECEIVED IN FISCAL YEAR 2022-2023 UNDER SECTION
16 2326(1) AND PARAGRAPH (1) BY THE SUM OF THE TOTAL AMOUNT
17 OF STATE AID PROVIDED UNDER SECTION 2326(1) AND PARAGRAPH
18 (1).

19 (II) MULTIPLY THE QUOTIENT UNDER SUBPARAGRAPH (I) BY
20 \$70,422,981.

21 (3) FOLLOWING DISTRIBUTION OF FUNDS APPROPRIATED FOR
22 STATE AID TO LIBRARIES UNDER PARAGRAPHS (1) AND (2), ANY
23 REMAINING FUNDS MAY BE DISTRIBUTED AT THE DISCRETION OF THE
24 STATE LIBRARIAN.

25 (4) IF FUNDS APPROPRIATED FOR STATE AID TO LIBRARIES IN
26 FISCAL YEAR 2023-2024 ARE LESS THAN FUNDS APPROPRIATED IN
27 FISCAL YEAR 2002-2003, THE STATE LIBRARIAN MAY WAIVE
28 STANDARDS AS PRESCRIBED IN 24 PA.C.S. CH. 93 (RELATING TO
29 PUBLIC LIBRARY CODE).

30 (5) EACH LIBRARY SYSTEM RECEIVING STATE AID UNDER THIS

1 SUBSECTION MAY DISTRIBUTE THE LOCAL LIBRARY SHARE OF THAT AID
2 IN A MANNER AS DETERMINED BY THE BOARD OF DIRECTORS OF THE
3 LIBRARY SYSTEM.

4 (6) IN THE CASE OF A LIBRARY SYSTEM THAT CONTAINS A
5 LIBRARY OPERATING IN A CITY OF THE SECOND CLASS, CHANGES TO
6 THE DISTRIBUTION OF STATE AID TO THE LIBRARY SHALL BE MADE BY
7 MUTUAL AGREEMENT BETWEEN THE LIBRARY AND THE LIBRARY SYSTEM.

8 (7) IN THE EVENT OF A CHANGE IN DISTRICT LIBRARY CENTER
9 POPULATION PRIOR TO THE EFFECTIVE DATE OF THIS SECTION AS A
10 RESULT OF:

11 (I) A CITY, BOROUGH, TOWN, TOWNSHIP, SCHOOL DISTRICT
12 OR COUNTY MOVING FROM ONE LIBRARY CENTER TO ANOTHER; OR

13 (II) A TRANSFER OF DISTRICT LIBRARY CENTER STATUS TO
14 A COUNTY LIBRARY SYSTEM; FUNDING OF DISTRICT LIBRARY
15 CENTER AID SHALL BE PAID BASED ON THE POPULATION OF THE
16 NEWLY ESTABLISHED OR RECONFIGURED DISTRICT LIBRARY
17 CENTER.

18 (8) IN THE EVENT OF A CHANGE IN DIRECT SERVICE AREA FROM
19 ONE LIBRARY TO ANOTHER, THE STATE LIBRARIAN, UPON AGREEMENT
20 OF THE AFFECTED LIBRARIES, MAY REDISTRIBUTE THE LOCAL LIBRARY
21 SHARE OF AID TO THE LIBRARY CURRENTLY SERVICING THE AREA.

22 SECTION 30. SECTION 2501(11) OF THE ACT IS AMENDED TO READ:

23 Section 2501. Definitions.--For the purposes of this article
24 the following terms shall have the following meanings:

25 * * *

26 (11) "Actual Instruction Expense Per Elementary Teaching
27 Unit, Actual Instruction Expense Per Elementary Teaching Unit in
28 a Laboratory School of a State-owned College, Actual Instruction
29 Expense Per Secondary Teaching Unit, Actual Instruction Expense
30 Per Secondary Teaching Unit in a Laboratory School of a State-

1 owned College, Actual Instruction Expense Per Joint Elementary
2 Teaching Unit, Actual Instruction Expense Per Joint Secondary
3 Teaching Unit, Actual Instruction Expense Per Area Technical
4 School Teaching Unit." In 1958 in the month of September and
5 thereafter annually in the month of September, the Department of
6 Education shall calculate for each school district for the
7 immediately preceding school year the actual instruction expense
8 per elementary teaching unit for elementary pupils educated in
9 the district's public schools, the actual instruction expense
10 per secondary teaching unit for secondary pupils educated in the
11 district's public schools, the actual instruction expense per
12 joint elementary teaching unit for elementary pupils educated in
13 elementary schools of jointures of which the district is a
14 member, the actual instruction expense per joint secondary
15 teaching unit for secondary pupils educated in secondary schools
16 of jointures of which the district is a member, the actual
17 instruction expense per area technical school teaching unit for
18 pupils educated in area technical schools in which the district
19 participates, the actual instruction expense per elementary
20 teaching unit for elementary pupils residing in the district and
21 educated in the public schools of other districts within the
22 Commonwealth, and the actual instruction expense per secondary
23 teaching unit for secondary pupils residing in the district and
24 educated in the public schools of other districts within the
25 Commonwealth. In each case, actual instruction expense per
26 teaching unit shall be the sum of (i) and (ii) below but in no
27 case shall include expenses for debt service, capital outlay,
28 rentals of capital facilities and equipment, salaries and
29 expenses for school nurses, for medical and dental services, for
30 driver education courses, for reimbursable transportation of

1 pupils, for tuition paid to other school districts, for
2 reimbursable board and lodging in lieu of transportation, for
3 salaries of directors and supervisors of special education,
4 public school psychologists, principals of special schools and
5 assistants, teachers of approved special classes for [physically
6 and mentally handicapped] children with physical or mental
7 disabilities, clerks and assistants employed in programs for
8 special education, for school district contributions to the
9 retirement fund on behalf of directors and supervisors of
10 special education, public school psychologists, principals of
11 special schools and assistants, teachers of approved special
12 classes for [physically and mentally handicapped] children with
13 physical or mental disabilities, clerks and assistants employed
14 in programs for special education, for the cost of textbooks and
15 supplies of the second class used in special education classes
16 or schools, for extension schools and classes, for extension
17 recreation activities, for career and technical extension
18 education, or for instruction of homebound children. (i)
19 Expenses of general control per teaching unit. Expenses of
20 general control shall include: salaries, supplies and other
21 expenses of the secretary's office; commission or salary of
22 treasurer, tax collector, auditors and legal service; expenses
23 of census enumeration and other expenses of business
24 administration; salaries of the superintendent of schools and
25 clerks of the superintendent of schools; expenses of supplies
26 and other expenses of the superintendent of schools' office; and
27 other expenses of general control. In the case of computation of
28 actual instruction expense per elementary teaching unit for
29 district pupils educated in the schools of the district and for
30 district pupils educated in the public schools of other

1 districts within the Commonwealth and actual instruction expense
2 per secondary teaching unit for district pupils educated in the
3 schools of the district and for district pupils educated in the
4 public schools of other districts within the Commonwealth,
5 expenses of general control per teaching unit shall be
6 calculated by dividing the foregoing listed expenses of general
7 control of the school district by the number of teaching units
8 based on the number of all pupils who are residents of the
9 school district and are in average daily membership in the
10 public schools of the Commonwealth. In the case of computation
11 of actual instruction expense per joint elementary teaching unit
12 and actual instruction expense per joint secondary teaching
13 unit, expenses of general control per teaching unit shall be
14 calculated by dividing the foregoing listed expenses of general
15 control of the school district by the number of teaching units
16 based on the number of all pupils who are residents of the
17 school district and are in average daily membership in the
18 public schools of the Commonwealth, and adding thereto the
19 quotient obtained by dividing the foregoing listed expenses of
20 general control of the joint school district by the number of
21 joint teaching units based on the number of pupils who are
22 residents of school districts that are members of the joint
23 school district and are in average daily membership in the
24 schools of the joint school district. In the case of computation
25 of actual instruction expense per area technical school teaching
26 unit, expenses of general control per teaching unit shall be
27 computed by dividing the foregoing listed expenses of general
28 control of the school district by the number of teaching units
29 based on the total number of all pupils who are residents of the
30 school district and are in average daily membership in the

1 public schools of the Commonwealth, and adding thereto the
2 quotient obtained by dividing the foregoing listed expenses of
3 general control of the area technical school by the number of
4 area technical school teaching units based on the number of
5 pupils who are residents of districts participating in the area
6 technical school and are in average daily membership in the area
7 technical school. (ii) Expenses of the school district, joint
8 school district, area technical school, or such other school
9 district within the Commonwealth in which the districts' pupils
10 are educated, as the case may be, on account of instruction,
11 auxiliary agencies and coordinate activities, operation of
12 school plant, maintenance of school plant, and fixed charges,
13 and each separately for elementary and for secondary schools,
14 per teaching unit, calculated by dividing the sums of (a), (b),
15 (c), (d), and (e) below by the numbers of elementary, secondary,
16 joint elementary, joint secondary, and area technical school
17 teaching units, respectively, based on the number of all pupils
18 on an equivalent full-time basis in average daily membership in
19 the public schools of the district, or joint district, or the
20 area technical school, or other school district within the
21 Commonwealth in which pupils of the district are educated, as
22 the case may be; (a) expenses of instruction, to include
23 salaries of supervisors and other expenses of supervisors,
24 salaries of principals and principals' clerks, supplies of the
25 principals' offices, other expenses of supervision, teachers'
26 and teacher-librarians, salaries, textbooks, library books,
27 supplies used in instruction including library supplies,
28 expenses of attending teachers' institutes, commencement
29 exercise and exhibit expenses, and other expenses of
30 instruction, (b) expenses of auxiliary agencies and coordinate

1 activities, to include salaries, books, repairs, replacements,
2 and other expenses of public libraries, and non-reimbursable
3 transportation and board and lodging in lieu of transportation,
4 and provisions for tubercular and undernourished children,
5 community lectures, social centers and recreation, enforcement
6 of attendance, and other expenses of auxiliary agencies and
7 coordinate activities, (c) expenses of operation of school
8 plant, to include wages of janitors and other employes, fuel,
9 water, light, power, janitors' supplies, care of grounds,
10 services other than personal, telephone rental, and other
11 expenses of operation, (d) expenses of maintenance of school
12 plant, to include upkeep of grounds, repair of buildings,
13 repairs and replacements, heating, plumbing, lighting, apparatus
14 used in instruction, furniture, and other equipment, (e)
15 expenses of fixed charges, to include payments made to the
16 retirement board, rent, all insurance, and other fixed charges:
17 Provided, That the actual instruction expense for elementary
18 teaching unit for district pupils educated in the elementary
19 grades of a laboratory school of a State-owned college and the
20 actual instruction expenses for secondary teaching unit for
21 district pupils educated in the high school grades of a
22 laboratory school of a State-owned college shall be computed by
23 (i) dividing the total amount of money paid to the State-owned
24 college by the resident district for the education of all
25 resident elementary children enrolled in a laboratory school of
26 a State-owned college by the number of such elementary teaching
27 units based on the total number of such resident children in
28 average daily membership in the laboratory school, (ii) dividing
29 the total amount of money paid to the State-owned college by the
30 resident district for the education of all resident secondary

1 children enrolled in a laboratory school of a State-owned
2 college by the number of such secondary teaching units based on
3 the total number of such resident children in average daily
4 membership in the laboratory school. The teaching units are
5 computed on the basis of thirty (30) equivalent full time
6 elementary children and twenty-two (22) equivalent full time
7 secondary children.

8 * * *

9 SECTION 31. SECTION 2502.8(B)(1) OF THE ACT, AMENDED JULY 8, <--
10 2022 (P.L.620, NO.55), IS AMENDED TO READ:

11 SECTION 2502.8. PAYMENTS ON ACCOUNT OF PUPILS ENROLLED IN
12 CAREER AND TECHNICAL CURRICULUMS.--* * *

13 (B) FOR THE 1981-1982 SCHOOL YEAR THROUGH THE 1984-1985
14 SCHOOL YEAR, EACH SCHOOL DISTRICT SO ENTITLED SHALL BE PAID, IN
15 ADDITION TO ANY OTHER SUBSIDY TO WHICH IT IS ENTITLED, AN AMOUNT
16 ON ACCOUNT OF RESIDENT PUPILS ENROLLED IN CAREER AND TECHNICAL
17 CURRICULUMS; FOR THE 1985-1986 SCHOOL YEAR THROUGH THE 1999-2000
18 SCHOOL YEAR, EACH SCHOOL DISTRICT AND AREA CAREER AND TECHNICAL
19 SCHOOL SHALL BE PAID AN AMOUNT ON ACCOUNT OF STUDENTS ENROLLED
20 IN CAREER AND TECHNICAL CURRICULUMS; FOR THE 2000-2001 SCHOOL
21 YEAR AND EACH SCHOOL YEAR THEREAFTER, EACH SCHOOL DISTRICT, AREA
22 CAREER AND TECHNICAL SCHOOL AND CHARTER SCHOOL SHALL BE PAID AN
23 AMOUNT ON ACCOUNT OF STUDENTS ENROLLED IN CAREER AND TECHNICAL
24 CURRICULUMS, DETERMINED AS FOLLOWS:

25 (1) DETERMINE THE INCREASE IN THE WEIGHTED AVERAGE DAILY
26 MEMBERSHIP BY MULTIPLYING THE NUMBER OF STUDENTS IN AVERAGE
27 DAILY MEMBERSHIP IN CAREER AND TECHNICAL CURRICULUMS IN AREA
28 CAREER AND TECHNICAL SCHOOLS BY TWENTY-ONE HUNDREDTHS (.21) AND
29 THE NUMBER OF STUDENTS IN AVERAGE DAILY MEMBERSHIP IN SCHOOL
30 DISTRICT AND CHARTER SCHOOL CAREER AND TECHNICAL CURRICULUMS BY

1 SEVENTEEN HUNDREDTHS (.17); EXCEPT[, FOR]:

2 (I) FOR THE 2021-2022 SCHOOL YEAR [AND EACH FISCAL YEAR
3 THEREAFTER], DETERMINE THE INCREASE IN THE WEIGHTED AVERAGE
4 DAILY MEMBERSHIP BY MULTIPLYING THE NUMBER OF STUDENTS IN
5 AVERAGE DAILY MEMBERSHIP IN CAREER AND TECHNICAL CURRICULUMS IN
6 AREA CAREER AND TECHNICAL SCHOOLS BY TWO THOUSAND TWO HUNDRED
7 SEVENTY-SIX TEN THOUSANDTHS (.2276) AND THE NUMBER OF STUDENTS
8 IN AVERAGE DAILY MEMBERSHIP IN SCHOOL DISTRICT AND CHARTER
9 SCHOOL CAREER AND TECHNICAL CURRICULUMS BY ONE THOUSAND EIGHT
10 HUNDRED FORTY-FOUR TEN THOUSANDTHS (.1844).

11 (II) FOR THE 2022-2023 SCHOOL YEAR AND EACH FISCAL YEAR
12 THEREAFTER, DETERMINE THE INCREASE IN THE WEIGHTED AVERAGE DAILY
13 MEMBERSHIP BY MULTIPLYING THE NUMBER OF STUDENTS IN AVERAGE
14 DAILY MEMBERSHIP IN CAREER AND TECHNICAL CURRICULUMS IN AREA
15 CAREER AND TECHNICAL SCHOOLS BY TWO THOUSAND SIX HUNDRED SIXTY-
16 EIGHT TEN THOUSANDTHS (.2668) AND THE NUMBER OF STUDENTS IN
17 AVERAGE DAILY MEMBERSHIP IN SCHOOL DISTRICT AND CHARTER SCHOOL
18 CAREER AND TECHNICAL CURRICULUMS BY TWO THOUSAND ONE HUNDRED
19 SEVENTY-EIGHT TEN THOUSANDTHS (.2178).

20 * * *

21 SECTION 32. SECTION 2509 HEADING AND (B) OF THE ACT ARE
22 AMENDED TO READ:

23 Section 2509. Payments on Account of Courses for
24 [Exceptional] Children with Disabilities.--* * *

25 (b) To find the "instruction cost per special class pupil,"
26 add (1) salaries of directors and supervisors of special
27 education, public school psychologists, principals of special
28 schools and assistants, teachers of approved special classes for
29 [exceptional] children with disabilities, clerks and assistants
30 employed in the district's program for special education, (2)

1 the district's contribution to the retirement fund on behalf of
2 directors and supervisors of special education, public school
3 psychologists, principals of special schools and assistants,
4 teachers of approved special classes for [exceptional] children
5 with disabilities, clerks and assistants employed in the
6 district's program for special education, (3) the cost of
7 textbooks and supplies of the second class used in the
8 district's special education classes or schools, (4) the cost of
9 telephonic system equipment which enables [handicapped] children
10 with physical or intellectual disabilities to remain in their
11 homes and still participate in classroom activities. Divide the
12 sum of (1), (2), (3), and (4) on that part thereof which is
13 approved by the Department of Education for reimbursement by the
14 total number of pupils, including those pupils who have
15 available for use telephonic system equipment whereby they may
16 remain at home and still participate in classroom activities, in
17 average daily membership in the district's approved special
18 classes for [exceptional] children with disabilities. The
19 quotient so obtained shall be the "instruction cost per [special
20 class pupil] student with a disability."

21 * * *

22 SECTION 33. SECTIONS 2509.1(C.2) (1) AND 2510.3(A) (2) OF THE <--
23 ACT, AMENDED JULY 8, 2022 (P.L.620, NO.55), ARE AMENDED TO READ:

24 SECTION 2509.1. PAYMENTS TO INTERMEDIATE UNITS.--* * *

25 (C.2) THE FOLLOWING APPLY:

26 (1) FOR THE 2016-2017, 2017-2018, 2018-2019, 2019-2020,
27 2020-2021, 2021-2022 [AND], 2022-2023 AND 2023-2024 SCHOOL
28 YEARS, FIVE AND FIVE-TENTHS PERCENT (5.5%) OF THE STATE SPECIAL
29 EDUCATION APPROPRIATION SHALL BE PAID TO INTERMEDIATE UNITS ON
30 ACCOUNT OF SPECIAL EDUCATION SERVICES.

1 * * *

2 SECTION 2510.3. ASSISTANCE TO SCHOOL DISTRICTS DECLARED TO
3 BE IN FINANCIAL RECOVERY STATUS OR IDENTIFIED FOR FINANCIAL
4 WATCH STATUS.--(A) THE FOLLOWING APPLY:

5 * * *

6 (2) FOR THE 2017-2018, 2018-2019, 2019-2020, 2020-2021,
7 2021-2022 [AND], 2022-2023 AND 2023-2024 FISCAL YEARS, THE
8 DEPARTMENT OF EDUCATION MAY UTILIZE UP TO SEVEN MILLION DOLLARS
9 (\$7,000,000) OF UNDISTRIBUTED FUNDS NOT EXPENDED, ENCUMBERED OR
10 COMMITTED FROM APPROPRIATIONS FOR GRANTS, SUBSIDIES AND
11 ASSESSMENTS MADE TO THE DEPARTMENT OF EDUCATION TO ASSIST SCHOOL
12 DISTRICTS DECLARED TO BE IN FINANCIAL RECOVERY STATUS UNDER
13 SECTION 621-A, IDENTIFIED FOR FINANCIAL WATCH STATUS UNDER
14 SECTION 611-A OR IDENTIFIED FOR FINANCIAL WATCH STATUS UNDER
15 SECTION 694-A; EXCEPT THAT THE FUNDS MUST BE FIRST UTILIZED TO
16 ACCOMPLISH THE PROVISIONS CONTAINED IN SECTION 695-A. THE FUNDS
17 SHALL BE TRANSFERRED BY THE SECRETARY OF THE BUDGET TO A
18 RESTRICTED ACCOUNT AS NECESSARY TO MAKE PAYMENTS UNDER THIS
19 SECTION AND, WHEN TRANSFERRED, ARE HEREBY APPROPRIATED TO CARRY
20 OUT THE PROVISIONS OF THIS SECTION.

21 * * *

22 SECTION 34. SECTIONS 2517(E) AND 2541(B) (3) OF THE ACT ARE
23 AMENDED TO READ:

24 Section 2517. Payments.--* * *

25 (e) The Secretary of Education, with the approval of the
26 Governor, may make basic education funding allocation payments
27 to school districts, in advance of the dates set forth in this
28 section to school districts which are financially [handicapped]
29 burdened, when the secretary deems it necessary to enable the
30 school district to keep their public schools open.

1 Section 2541. Payments on Account of Pupil Transportation.--

2 * * *

3 (b) Such payments for pupil transportation shall be made in
4 the following cases:

5 * * *

6 (3) To all school districts, for the transportation of
7 [physically or mentally handicapped] children with physical or
8 intellectual disabilities regularly enrolled in special classes
9 approved by the Department of Education or enrolled in a regular
10 class in which approved educational provisions are made for
11 them.

12 * * *

13 ~~Section 4. Repeals are as follows:~~ <--

14 ~~(1) The General Assembly declares that the repeal under~~
15 ~~paragraph (2) is necessary to effectuate the addition of~~
16 ~~section 1376.1(b.2)(4) of the act.~~

17 ~~(2) Section 1723 F.1(5)(ii) of the act of April 9, 1929~~
18 ~~(P.L.343, No.176), known as The Fiscal Code, is repealed.~~

19 ~~Section 5. The addition of section 1376.1(b.2)(4) of the act~~
20 ~~and the repeal under section 4 of this act shall apply~~
21 ~~retroactively to July 1, 2022.~~

22 ~~Section 6. This act shall take effect as follows:~~

23 ~~(1) The following shall take effect immediately:~~

24 ~~(i) The addition of section 1376.1(b.2)(4) of the~~
25 ~~act.~~

26 ~~(ii) Sections 4 and 5 of this act.~~

27 ~~(iii) This section.~~

28 ~~(2) The remainder of this act shall take effect in 60~~
29 ~~days.~~

30 SECTION 35. SECTION 2599.6 OF THE ACT IS AMENDED BY ADDING A <--

1 SUBSECTION TO READ:

2 SECTION 2599.6. READY-TO-LEARN BLOCK GRANT.--* * *

3 (A.4) FOR THE 2023-2024 SCHOOL YEAR AND EACH SCHOOL YEAR
4 THEREAFTER, EACH SCHOOL ENTITY SHALL RECEIVE A READY-TO-LEARN
5 BLOCK GRANT IN AN AMOUNT NOT LESS THAN THE AMOUNT RECEIVED BY
6 THE SCHOOL ENTITY FROM THE APPROPRIATION FOR THE READY-TO-LEARN
7 BLOCK GRANT DURING THE 2022-2023 FISCAL YEAR.

8 * * *

9 SECTION 36. SECTION 2599.7(B), (C) AND (D) OF THE ACT ARE
10 AMENDED TO READ:

11 SECTION 2599.7. PAYMENT OF REQUIRED CONTRIBUTION FOR PUBLIC
12 SCHOOL EMPLOYES' SOCIAL SECURITY.--* * *

13 (B) FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, THROUGH THE
14 FISCAL YEAR ENDING JUNE 30, 2023, PAYMENT OF THE AMOUNTS
15 CALCULATED UNDER 24 PA.C.S. § 8329 FOR SCHOOL DISTRICTS SHALL BE
16 MADE FROM THE APPROPRIATION FOR BASIC EDUCATION FUNDING.

17 (C) FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, THROUGH THE
18 FISCAL YEAR ENDING JUNE 30, 2023, IF INSUFFICIENT FUNDS ARE
19 AVAILABLE FOR PAYMENT OF THE AMOUNTS CALCULATED UNDER 24 PA.C.S.
20 § 8329 FOR SCHOOL DISTRICTS, THE DEPARTMENT OF EDUCATION SHALL
21 NOTIFY THE GOVERNOR, THE CHAIRPERSON AND MINORITY CHAIRPERSON OF
22 THE APPROPRIATIONS COMMITTEE OF THE SENATE AND THE CHAIRPERSON
23 AND MINORITY CHAIRPERSON OF THE APPROPRIATIONS COMMITTEE OF THE
24 HOUSE OF REPRESENTATIVES OF THE AMOUNT OF THE INSUFFICIENCY. AN
25 AMOUNT EQUAL TO THE INSUFFICIENCY MAY ONLY BE PAID TO SCHOOL
26 DISTRICTS FROM A SUPPLEMENTAL APPROPRIATION IN THE GENERAL
27 APPROPRIATIONS ACT.

28 (D) FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, THROUGH THE
29 FISCAL YEAR ENDING JUNE 30, 2023, IF THE AMOUNT CALCULATED FOR
30 PAYMENTS TO SCHOOL DISTRICTS UNDER 24 PA.C.S. § 8329 EXCEEDS THE

1 AMOUNT NECESSARY, THE DEPARTMENT OF EDUCATION SHALL NOTIFY THE
2 GOVERNOR, THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
3 APPROPRIATIONS COMMITTEE OF THE SENATE AND THE CHAIRPERSON AND
4 MINORITY CHAIRPERSON OF THE APPROPRIATIONS COMMITTEE OF THE
5 HOUSE OF REPRESENTATIVES OF THE AMOUNT OF THE EXCESS. AN AMOUNT
6 EQUAL TO THE EXCESS SHALL BE DISTRIBUTED TO SCHOOL DISTRICTS AS
7 A SUPPLEMENTAL PAYMENT CALCULATED UNDER THE FORMULA CONTAINED IN
8 SECTION 2502.53.

9 * * *

10 SECTION 37. SECTION 2608-J OF THE ACT, AMENDED JULY 8, 2022
11 (P.L.620, NO.55), IS AMENDED TO READ:

12 SECTION 2608-J. APPLICABILITY.

13 THIS ARTICLE SHALL APPLY TO PROJECTS FOR WHICH APPROVAL AND
14 REIMBURSEMENT IS SOUGHT AND TO THE MAINTENANCE PROJECT GRANT
15 PROGRAM BEGINNING JULY 1, [2023] 2024.

16 SECTION 38. THE ACT IS AMENDED BY ADDING AN ARTICLE TO READ:

17 ARTICLE XXVI-L

18 SCHOOL ENVIRONMENTAL REPAIRS PROGRAM

19 SECTION 2601-L. DEFINITIONS.

20 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE
21 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
22 CONTEXT CLEARLY INDICATES OTHERWISE:

23 "ACCOUNT." THE SCHOOL ENVIRONMENTAL REPAIRS PROGRAM
24 RESTRICTED ACCOUNT ESTABLISHED UNDER SECTION 2602-L.

25 "DEPARTMENT." THE DEPARTMENT OF EDUCATION OF THE
26 COMMONWEALTH.

27 "PROGRAM." THE SCHOOL ENVIRONMENTAL REPAIRS PROGRAM
28 ESTABLISHED UNDER SECTION 2603-L.

29 "SCHOOL ENTITY." A SCHOOL DISTRICT, AREA CAREER AND
30 TECHNICAL SCHOOL, CHARTER SCHOOL OR REGIONAL CHARTER SCHOOL.

1 SECTION 2602-L. SCHOOL ENVIRONMENTAL REPAIRS PROGRAM RESTRICTED
2 ACCOUNT.

3 THE SCHOOL ENVIRONMENTAL REPAIRS PROGRAM RESTRICTED ACCOUNT
4 IS ESTABLISHED AS A RESTRICTED ACCOUNT IN THE GENERAL FUND. THE
5 FOLLOWING SHALL APPLY:

6 (1) MONEY IN THE ACCOUNT IS APPROPRIATED TO THE
7 DEPARTMENT ON A CONTINUING BASIS TO PROVIDE PROGRAM GRANTS
8 UNDER THIS ARTICLE DURING FISCAL YEARS 2023-2024 AND 2024-
9 2025.

10 (2) THE STATE TREASURER MAY ACCEPT APPROPRIATIONS,
11 TRANSFERS, GIFTS, DONATIONS, LEGACIES OR ANY OTHER REVENUES,
12 INCLUDING ALLOWABLE FEDERAL FUNDS, FOR DEPOSIT INTO THE
13 ACCOUNT.

14 (3) ANY INTEREST THAT ACCRUES IN THE ACCOUNT SHALL
15 REMAIN IN THE ACCOUNT.

16 SECTION 2603-L. SCHOOL ENVIRONMENTAL REPAIRS PROGRAM.

17 (A) SCHOOL ENVIRONMENTAL REPAIRS PROGRAM.--THE SCHOOL
18 ENVIRONMENTAL REPAIRS PROGRAM IS ESTABLISHED IN THE DEPARTMENT
19 TO PROVIDE GRANTS TO SCHOOL ENTITIES FOR THE ABATEMENT OR
20 REMEDICATION OF ENVIRONMENTAL HAZARDS IN A SCHOOL BUILDING OR
21 BUILDINGS.

22 (B) APPLICATION PROCESS.--THE DEPARTMENT SHALL DEVELOP A
23 PROCESS FOR SCHOOL ENTITIES TO APPLY FOR PROGRAM GRANTS.

24 (C) ELIGIBLE PROJECTS.--PROJECTS THAT ABATE OR REMEDIATE
25 ENVIRONMENTAL HAZARDS, INCLUDING, BUT NOT LIMITED TO, THE
26 ABATEMENT OR REMEDIATION OF LEAD IN WATER SOURCES, ASBESTOS AND
27 MOLD INSIDE THE SCHOOL BUILDINGS OF ELIGIBLE SCHOOL ENTITIES,
28 ARE ELIGIBLE TO RECEIVE A PROGRAM GRANT.

29 (D) FORM OF APPLICATION.--A SCHOOL ENTITY MUST APPLY FOR A
30 PROGRAM GRANT ON A FORM PRESCRIBED BY THE DEPARTMENT. THE FORM

1 SHALL INCLUDE THE FOLLOWING INFORMATION:

2 (1) DESCRIPTION OF THE ABATEMENT OR REMEDIATION PROJECT.

3 (2) INFORMATION RELATED TO THE RISK OF EXPOSURE TO
4 ENVIRONMENTAL HAZARDS.

5 (3) ESTIMATED COST OF THE PROJECT.

6 (4) SOURCE AND AMOUNT OF LOCAL MATCHING FUNDS.

7 (5) DOCUMENTATION TO SUPPORT THE ENVIRONMENTAL HAZARDS
8 TO BE REMEDIED, THE ESTIMATED COST AND THE SOURCE OF LOCAL
9 MATCHING FUNDS.

10 (6) TIMELINE TO COMPLETE THE WORK.

11 (7) OTHER INFORMATION REQUIRED BY THE DEPARTMENT.

12 (E) GRANT PRIORITIZATION.--THE DEPARTMENT SHALL PRIORITIZE
13 ELIGIBLE PROJECTS THAT ABATE OR REMEDIATE ENVIRONMENTAL HAZARDS
14 THAT PRESENT THE GREATEST RISK OF EXPOSURE USING THE FOLLOWING
15 INFORMATION:

16 (1) ELEVATED LEAD LEVELS IN DRINKING WATER.

17 (2) THE PERCENTAGE OF THE POPULATION IN THE COUNTY WHERE
18 THE PROJECT IS LOCATED WITH A CONFIRMED BLOOD LEAD LEVEL OVER
19 5 MG/DL AS DETERMINED BY THE DEPARTMENT IN CONSULTATION WITH
20 THE DEPARTMENT OF HEALTH.

21 (3) CONTENTS OF THE APPLICATION.

22 (4) ANY OTHER RISK FACTOR DETERMINED BY THE DEPARTMENT.

23 (F) FUNDING AND LOCAL MATCH FOR PROGRAM GRANTS.--

24 (1) THE DEPARTMENT MAY AWARD A PROGRAM GRANT TO AN
25 ELIGIBLE SCHOOL ENTITY IN AN AMOUNT UP TO 50% OF THE COST OF
26 THE ELIGIBLE PROJECT. THE DEPARTMENT SHALL NOT AWARD A
27 PROGRAM GRANT IN EXCESS OF \$10,000,000.

28 (2) A SCHOOL ENTITY MUST HAVE A LOCAL MATCH OF AT LEAST
29 50% OF THE TOTAL COST OF ALL PROJECTS LISTED IN ITS
30 APPLICATION. THE LOCAL MATCH MAY COME FROM ANY NON-STATE

1 SOURCE FUNDING, INCLUDING FEDERAL OR LOCAL MONEY AND
2 DONATIONS. THE SCHOOL ENTITY MUST DOCUMENT ITS LOCAL MATCH AS
3 PART OF ITS APPLICATION.

4 (3) AN ELIGIBLE SCHOOL ENTITY MAY NOT USE PROGRAM GRANT
5 MONEY FOR RECURRING UPKEEP ON PHYSICAL FACILITIES, INCLUDING
6 CLEANING, MINOR REPAIR OF FIXTURES OR STRUCTURES, PAINTING
7 UNRELATED TO THE ABATEMENT OR REMEDIATION OF LEAD PAINT OR
8 THE REGULAR SERVICING OF HEATING, AIR CONDITIONING OR OTHER
9 EQUIPMENT.

10 (G) GUIDELINES.--THE DEPARTMENT SHALL ISSUE GUIDELINES FOR
11 THE PROGRAM AT LEAST 60 DAYS BEFORE THE BEGINNING OF THE
12 APPLICATION PERIOD. THE GUIDELINES SHALL INCLUDE:

13 (1) THE APPLICATION PROCESS, INCLUDING DEADLINES.

14 (2) THE APPLICATION FORM DEVELOPED BY THE DEPARTMENT.

15 (3) INFORMATION ON ELIGIBLE PROJECTS.

16 (4) AN EXPLANATION OF THE PRIORITIZATION FACTORS.

17 (H) MONITORING.--THE DEPARTMENT, OR ITS DESIGNEE, SHALL
18 RANDOMLY AUDIT AND MONITOR PROGRAM GRANT RECIPIENTS TO ENSURE
19 THE APPROPRIATE USE OF PROGRAM GRANT FUNDS AND COMPLIANCE WITH
20 PROVISIONS OF THE PROGRAM.

21 (I) EFFECT OF GRANT MONEY RECEIVED.--PROGRAM GRANT MONEY
22 RECEIVED BY A SCHOOL DISTRICT UNDER THIS SECTION MAY NOT BE
23 INCLUDED WHEN CALCULATING THE AMOUNT TO BE PAID TO A CHARTER
24 SCHOOL UNDER SECTION 1725-A.

25 (J) WHOLE OR PARTIAL AWARDS.--THE DEPARTMENT, IN ITS
26 DISCRETION, MAY AWARD IN WHOLE OR IN PART A REQUEST MADE BY A
27 SCHOOL ENTITY IN ITS GRANT APPLICATION BASED UPON THE MERIT OF A
28 SPECIFIC ITEM REQUESTED.

29 (K) REPORT.--THE DEPARTMENT SHALL PUBLISH PROGRAM GRANT
30 AWARD INFORMATION, INCLUDING AWARD AMOUNTS AND A DESCRIPTION OF

1 THE FUNDED PROJECT, ON ITS PUBLICLY ACCESSIBLE INTERNET WEBSITE
2 AT THE CONCLUSION OF EACH FUNDING ROUND.

3 SECTION 39. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.