

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 843 Session of 2023

INTRODUCED BY ARGALL, AUMENT, ROTHMAN, SCHWANK, YAW, LAUGHLIN, COLEMAN, PENNYCUICK, DUSH, BROOKS AND PHILLIPS-HILL, JUNE 26, 2023

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, AS AMENDED, NOVEMBER 15, 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," providing for Interstate Teacher
6 Mobility Compact. IN PRELIMINARY PROVISIONS, FURTHER
7 PROVIDING FOR BASIC EDUCATION FUNDING COMMISSION AND FOR
8 SPECIAL PROVISIONS APPLICABLE TO LIMITED SCHOOL YEARS AND
9 PROVIDING FOR PUBLIC JOB POSTING DATABASE, FOR INSTRUCTIONAL
10 VACANCY DATA AND FOR DATA TRANSPARENCY; IN GROUNDS AND
11 BUILDINGS, FURTHER PROVIDING FOR LIMITATION ON NEW
12 APPLICATIONS FOR DEPARTMENT OF EDUCATION APPROVAL OF PUBLIC
13 SCHOOL BUILDING PROJECTS; IN INTERMEDIATE UNITS, FURTHER
14 PROVIDING FOR SCHOOL SAFETY AND SECURITY ENHANCEMENTS; IN
15 CERTIFICATION OF TEACHERS, FURTHER PROVIDING FOR SUBSTITUTE
16 TEACHING PERMIT FOR PROSPECTIVE TEACHERS, FOR LOCALLY ISSUED
17 TEMPORARY CERTIFICATION FOR SUBSTITUTE TEACHERS AND FOR
18 PERMIT FOR CLASSROOM MONITORS; PROVIDING FOR INTERSTATE
19 TEACHER MOBILITY COMPACT AND FOR EDUCATOR PIPELINE SUPPORT
20 GRANT PROGRAM; IN SAFE SCHOOLS, FURTHER PROVIDING FOR
21 DEFINITIONS AND FOR OFFICE FOR SAFE SCHOOLS, REPEALING
22 PROVISIONS RELATING TO REGULATIONS AND TO REPORTING, FURTHER
23 PROVIDING FOR POLICY RELATING TO BULLYING AND FOR MAINTENANCE
24 OF RECORDS, REPEALING PROVISIONS RELATING TO SAFE SCHOOLS
25 ADVOCATE IN SCHOOL DISTRICTS OF THE FIRST CLASS, TO STANDING,
26 TO ENFORCEMENT AND TO CONSTRUCTION OF ARTICLE AND OTHER LAWS;
27 IN SCHOOL SAFETY AND SECURITY, FURTHER PROVIDING FOR
28 DEFINITIONS AND FOR SCHOOL SAFETY AND SECURITY COMMITTEE,
29 PROVIDING FOR DUTIES OF COMMITTEE, FURTHER PROVIDING FOR
30 SCHOOL SAFETY AND SECURITY GRANT PROGRAM, PROVIDING FOR
31 TARGETED SCHOOL SAFETY GRANTS FOR NONPUBLIC SCHOOLS AND

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1 SCHOOL ENTITIES PROGRAM, FOR STANDARDIZED PROTOCOLS, FOR  
2 COUNTY SAFE SCHOOLS' COLLABORATIVE AND FOR SCHOOL MENTAL  
3 HEALTH GRANTS FOR 2023-2024 SCHOOL YEAR, FURTHER PROVIDING  
4 FOR SCHOOL SAFETY AND SECURITY COORDINATOR TRAINING AND  
5 PROVIDING FOR REPORTING AND MEMORANDUM OF UNDERSTANDING, FOR  
6 SAFE SCHOOLS ADVOCATE IN SCHOOL DISTRICTS OF THE FIRST CLASS  
7 AND FOR ENFORCEMENT; IN SCHOOL SECURITY, FURTHER PROVIDING  
8 FOR DEFINITIONS, FOR SCHOOL POLICE OFFICERS, FOR ANNUAL  
9 REPORT AND FOR SCHOOL SECURITY GUARDS; IN DRUG AND ALCOHOL  
10 RECOVERY HIGH SCHOOL PROGRAM, FURTHER PROVIDING FOR SCOPE OF  
11 PROGRAM AND SELECTION OF STUDENTS, PROVIDING FOR ENROLLMENT  
12 OF STUDENTS AND ~~REPEALING PROVISIONS RELATING TO~~ FURTHER <--  
13 PROVIDING FOR ACADEMIC PROGRAMS; IN EARLY LEARNING PROGRAMS,  
14 PROVIDING FOR QUARTERLY REPORTING; IN HIGH SCHOOLS, FURTHER  
15 PROVIDING FOR ATTENDANCE IN OTHER DISTRICTS; IN COMMUNITY  
16 COLLEGES, FURTHER PROVIDING FOR FINANCIAL PROGRAM AND  
17 REIMBURSEMENT OF PAYMENTS; IN FUNDING FOR PUBLIC LIBRARIES,  
18 PROVIDING FOR STATE AID FOR FISCAL YEAR 2023-2024; IN  
19 REIMBURSEMENTS BY COMMONWEALTH AND BETWEEN SCHOOL DISTRICTS,  
20 FURTHER PROVIDING FOR PAYMENTS ON ACCOUNT OF PUPILS ENROLLED  
21 IN CAREER AND TECHNICAL CURRICULUMS, FOR PAYMENTS TO  
22 INTERMEDIATE UNITS, FOR ASSISTANCE TO SCHOOL DISTRICTS  
23 DECLARED TO BE IN FINANCIAL RECOVERY STATUS OR IDENTIFIED FOR  
24 FINANCIAL WATCH STATUS, FOR READY-TO-LEARN BLOCK GRANT AND  
25 FOR PAYMENT OF REQUIRED CONTRIBUTION FOR PUBLIC SCHOOL  
26 EMPLOYEES' SOCIAL SECURITY; IN CONSTRUCTION AND RENOVATION OF <--  
27 BUILDINGS BY SCHOOL ENTITIES, FURTHER PROVIDING FOR  
28 APPLICABILITY; AND MAKING AN EDITORIAL CHANGE.

29 The General Assembly of the Commonwealth of Pennsylvania  
30 hereby enacts as follows:

31 ~~Section 1. The act of March 10, 1949 (P.L.30, No.14), known <--~~  
32 ~~as the Public School Code of 1949, is amended by adding an~~  
33 ~~article to read:~~

34 SECTION 1. SECTIONS 123(K) (2) AND 129 OF THE ACT OF MARCH <--  
35 10, 1949 (P.L.30, NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF  
36 1949, ARE AMENDED TO READ:

37 SECTION 123. BASIC EDUCATION FUNDING COMMISSION.--\* \* \*

38 (K) \* \* \*

39 (2) NOTWITHSTANDING PARAGRAPH (1), THE COMMISSION SHALL BE  
40 RECONSTITUTED JULY 1, 2022, AND SHALL ISSUE THE REPORT TO THE  
41 RECIPIENTS LISTED IN SUBSECTION (I) (12) NOT LATER THAN [NOVEMBER  
42 30, 2023] JANUARY 11, 2024.

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44 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 1.1. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:

21 SECTION 130. PUBLIC JOB POSTING DATABASE.--(A) THE  
22 DEPARTMENT SHALL ESTABLISH AND MAINTAIN A PUBLIC DATABASE FOR  
23 SCHOOL ENTITIES OR NONPUBLIC SCHOOLS TO VOLUNTARILY ADVERTISE  
24 EMPLOYEE VACANCIES ON THE DEPARTMENT'S PUBLICLY ACCESSIBLE  
25 INTERNET WEBSITE. THE DATABASE SHALL, AT A MINIMUM:

26 (1) ALLOW A SCHOOL ENTITY OR NONPUBLIC SCHOOL TO POST IN  
27 REAL TIME AN EMPLOYEE VACANCY. THE DEPARTMENT SHALL DETERMINE  
28 INFORMATION TO BE REQUIRED AS PART OF A POSTING.

29 (2) PROVIDE FOR A TIME-LIMITED EXPIRATION OF A POSTING MADE  
30 BY A SCHOOL ENTITY OR NONPUBLIC SCHOOL.

1 (3) BE SEARCHABLE BY, AT A MINIMUM, COUNTY, INTERMEDIATE  
2 UNIT, SCHOOL ENTITY, GRADE LEVEL, EMPLOYE TYPE AND ACADEMIC  
3 CONTENT AREA.

4 (4) BE MADE AVAILABLE AT NO COST TO A SCHOOL ENTITY,  
5 NONPUBLIC SCHOOL OR PROSPECTIVE EMPLOYE.

6 (B) A SCHOOL ENTITY OR NONPUBLIC SCHOOL MAY SUBMIT A POSTING  
7 TO THE DATABASE ESTABLISHED UNDER SUBSECTION (A) FOR AN OPEN  
8 POSITION OR AN ANTICIPATED OPEN POSITION.

9 (C) THE DEPARTMENT MAY CONTRACT WITH A THIRD PARTY TO  
10 OPERATE THE DATABASE ESTABLISHED UNDER SUBSECTION (A).

11 (D) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES  
12 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION UNLESS  
13 THE CONTEXT CLEARLY INDICATES OTHERWISE:

14 "DEPARTMENT." THE DEPARTMENT OF EDUCATION OF THE  
15 COMMONWEALTH.

16 "EMPLOYE." THE FOLLOWING:

17 (1) A "PROFESSIONAL EMPLOYE" AS DEFINED IN SECTION 1101(1).

18 (2) A PARAPROFESSIONAL OR EDUCATIONAL INTERPRETER AS  
19 DESCRIBED UNDER 22 PA. CODE § 14.105 (RELATING TO PERSONNEL).

20 (3) ANY OTHER EMPLOYE IN A SCHOOL ENTITY OR NONPUBLIC SCHOOL  
21 AS DETERMINED BY THE DEPARTMENT.

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

23 "SCHOOL ENTITY." A SCHOOL DISTRICT, CHARTER SCHOOL, REGIONAL  
24 CHARTER SCHOOL, INTERMEDIATE UNIT OR AREA CAREER AND TECHNICAL  
25 SCHOOL OPERATING WITHIN THIS COMMONWEALTH.

26 SECTION 131. INSTRUCTIONAL VACANCY DATA.-- (A) THE  
27 DEPARTMENT SHALL REQUIRE A SCHOOL ENTITY TO SUBMIT CERTAIN  
28 INFORMATION RELATING TO INSTRUCTIONAL VACANCIES, INCLUDING, AT A  
29 MINIMUM, THE NUMBER OF INSTRUCTIONAL VACANCIES, THE NUMBER OF  
30 EMERGENCY PERMITS UTILIZED BY A SCHOOL ENTITY AND THE NUMBER OF

1 POSITIONS OCCUPIED BY LONG-TERM SUBSTITUTES. THE DEPARTMENT  
2 SHALL DETERMINE THE FORM AND MANNER IN WHICH THE INFORMATION IS  
3 TO BE SUBMITTED BY A SCHOOL ENTITY. TO THE BEST EXTENT POSSIBLE,  
4 THE DEPARTMENT SHALL UTILIZE EXISTING REPORTING METHODS TO  
5 COLLECT THIS DATA. BY AUGUST 31, 2024, AND EACH AUGUST 31  
6 THEREAFTER, EACH SCHOOL ENTITY SHALL REPORT THE FOLLOWING TO THE  
7 DEPARTMENT:

8 (1) THE TOTAL BUDGETED COMPLEMENT OF INSTRUCTIONAL EMPLOYEES  
9 FOR THAT FISCAL YEAR AND VACANCIES INCLUDED IN THE FINAL ADOPTED  
10 BUDGET OF A BOARD OF SCHOOL DIRECTORS.

11 (2) THE QUARTERLY AVERAGE NUMBER OF INSTRUCTIONAL EMPLOYE  
12 VACANCIES THE SCHOOL ENTITY HAD DURING THE SCHOOL YEAR.

13 (B) THE DEPARTMENT SHALL MAINTAIN THE INFORMATION COLLECTED  
14 UNDER SUBSECTION (A) ON ITS PUBLICLY ACCESSIBLE INTERNET  
15 WEBSITE.

16 (C) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES  
17 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION UNLESS  
18 THE CONTEXT CLEARLY INDICATES OTHERWISE:

19 "DEPARTMENT." THE DEPARTMENT OF EDUCATION OF THE  
20 COMMONWEALTH.

21 "SCHOOL ENTITY." A SCHOOL DISTRICT, CHARTER SCHOOL, REGIONAL  
22 CHARTER SCHOOL, INTERMEDIATE UNIT OR AREA CAREER AND TECHNICAL  
23 SCHOOL OPERATING WITHIN THIS COMMONWEALTH.

24 SECTION 132. DATA TRANSPARENCY.--(A) TO THE EXTENT THAT  
25 FUNDING IS MADE AVAILABLE, NO LATER THAN DECEMBER 31 OF EACH  
26 YEAR, THE DEPARTMENT SHALL POST ON ITS PUBLICLY ACCESSIBLE  
27 INTERNET WEBSITE DATA RELATED TO THE EDUCATOR WORKFORCE IN THIS  
28 COMMONWEALTH THAT ALLOWS MEMBERS OF THE PUBLIC TO VIEW,  
29 DISAGGREGATE AND MANIPULATE THE FOLLOWING DATA IF COLLECTED BY  
30 THE DEPARTMENT:

1 (1) EDUCATOR SUPPLY DATA, INCLUDING EDUCATOR PREPARATION  
2 PROVIDER ENROLLMENT AND COMPLETION DATA AND EDUCATION  
3 PROFESSIONAL CERTIFICATES ISSUED BY THE DEPARTMENT,  
4 DISAGGREGATED BY CATEGORIES, INCLUDING PROGRAM, CERTIFICATION  
5 AREA AND DEMOGRAPHIC INFORMATION.

6 (2) EDUCATOR DEMAND DATA, INCLUDING CURRENT EDUCATOR  
7 WORKFORCE NUMBERS, UNFILLED POSITIONS AND RATES, NEW HIRES AND  
8 EMERGENCY PERMITS OR OUT-OF-FIELD EDUCATORS, DISAGGREGATED BY  
9 CATEGORIES, INCLUDING SCHOOL ENTITY, SCHOOL, SPECIFIC  
10 ASSIGNMENT, CERTIFICATION AREA, TYPE OF EMERGENCY PERMIT AND  
11 DEMOGRAPHIC INFORMATION.

12 (3) EDUCATOR PREPARATION PROGRAM OUTCOMES DATA, INCLUDING  
13 DATA ON PERCENTAGE OF PROGRAM ENROLLEES WHO:

14 (I) COMPLETE THE PROGRAM.

15 (II) PASS THE CERTIFICATION TEST ON THE FIRST TIME AND  
16 OVERALL.

17 (III) RECEIVE CERTIFICATION.

18 (IV) ARE EMPLOYED BY A SCHOOL ENTITY IN YEARS ONE THROUGH  
19 FIVE.

20 (V) ARE RETAINED BY A SCHOOL ENTITY IN YEARS ONE THROUGH  
21 FIVE.

22 (4) EDUCATOR RETENTION AT ONE-YEAR, THREE-YEAR AND FIVE-YEAR  
23 RATES, DISAGGREGATED BY CATEGORIES, INCLUDING SCHOOL ENTITY,  
24 SCHOOL, SPECIFIC ASSIGNMENT, CERTIFICATION AREA, TYPE OF  
25 EMERGENCY PERMIT AND DEMOGRAPHIC INFORMATION.

26 (B) THE DEPARTMENT MAY CONTRACT WITH AN OUTSIDE ORGANIZATION  
27 TO MEET THE REQUIREMENTS OF THIS SECTION.

28 (C) NO LATER THAN DECEMBER 15, 2023, AND EACH DECEMBER 15  
29 THEREAFTER, THE DEPARTMENT, IN CONSULTATION WITH THE DEPARTMENT  
30 OF LABOR AND INDUSTRY, SHALL ISSUE A REPORT TO THE GOVERNOR AND

1 GENERAL ASSEMBLY ON THE EDUCATOR WORKFORCE IN THIS COMMONWEALTH.  
2 THE REPORT SHALL BE POSTED ON THE DEPARTMENT'S PUBLICLY  
3 ACCESSIBLE INTERNET WEBSITE. THE REPORT SHALL INCLUDE  
4 INFORMATION ON:

5 (1) TRENDS IN EDUCATOR SUPPLY AND EDUCATOR PREPARATION  
6 PROVIDER EFFECTIVENESS, INCLUDING RECOMMENDATIONS FOR ATTRACTING  
7 MORE HIGH-QUALITY AND DIVERSE TEACHER CANDIDATES AND IMPROVING  
8 THE QUALITY OF EDUCATOR PREPARATION IN THIS COMMONWEALTH.

9 (2) THE EDUCATOR POSITIONS, BY CERTIFICATION AREA, IN HIGH  
10 DEMAND IN THIS COMMONWEALTH AND THE LOCATION OF EXISTING  
11 VACANCIES BY SCHOOL ENTITY.

12 (3) PROJECTIONS OF SHORTAGE AREAS AND SUBJECTS IN THE  
13 UPCOMING THREE TO FIVE YEARS AND RECOMMENDATIONS FOR ADDRESSING  
14 THESE SHORTAGES.

15 (4) OVERALL AND DISAGGREGATED TRENDS IN EDUCATOR RETENTION,  
16 INCLUDING RECOMMENDATIONS FOR IMPROVING RETENTION.

17 (D) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES  
18 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION UNLESS  
19 THE CONTEXT CLEARLY INDICATES OTHERWISE:

20 "DEPARTMENT." THE DEPARTMENT OF EDUCATION OF THE  
21 COMMONWEALTH.

22 "SCHOOL ENTITY." A SCHOOL DISTRICT, CYBER CHARTER SCHOOL,  
23 CHARTER SCHOOL, REGIONAL CHARTER SCHOOL, AREA CAREER AND  
24 TECHNICAL SCHOOL OR INTERMEDIATE UNIT.

25 SECTION 1.2. SECTION 732.1(A) OF THE ACT, AMENDED JULY 8,  
26 2022 (P.L.620, NO.55), IS AMENDED TO READ:

27 SECTION 732.1. LIMITATION ON NEW APPLICATIONS FOR DEPARTMENT  
28 OF EDUCATION APPROVAL OF PUBLIC SCHOOL BUILDING PROJECTS.--(A)  
29 FOR THE 2012-2013 FISCAL YEAR, 2013-2014 FISCAL YEAR, 2017-2018  
30 FISCAL YEAR, 2018-2019 FISCAL YEAR, 2019-2020 FISCAL YEAR, 2020-

1 2021 FISCAL YEAR, 2021-2022 FISCAL YEAR [AND], 2022-2023 FISCAL  
2 YEAR AND EACH FISCAL YEAR THEREAFTER, THE DEPARTMENT OF  
3 EDUCATION SHALL NOT ACCEPT OR APPROVE NEW SCHOOL BUILDING  
4 CONSTRUCTION OR RECONSTRUCTION PROJECT APPLICATIONS UNDER THIS  
5 ARTICLE.

6 \* \* \*

7 SECTION 2. THE DEFINITION OF "SCHOOL SAFETY AND SECURITY  
8 ENHANCEMENTS" IN SECTION 923.3-A(B) AND SUBSECTION (C) OF THE  
9 ACT ARE AMENDED TO READ:

10 SECTION 923.3-A. SCHOOL SAFETY AND SECURITY ENHANCEMENTS.-\*

11 \* \*

12 (B) DEFINITIONS. AS USED IN THIS SECTION:

13 \* \* \*

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

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



1 FOR DIRECTLY BY THE INTERMEDIATE UNIT OR LOANED BY THE  
2 INTERMEDIATE UNIT TO THE NONPUBLIC SCHOOL.

3 \* \* \*

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

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

11 \* \* \*

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

27 (3.1) DURING AN INDIVIDUAL'S STUDENT TEACHER PROGRAM  
28 REQUIRED UNDER 22 PA. CODE § 354.25(F) (RELATING TO PREPARATION  
29 PROGRAM CURRICULUM) FOR EDUCATOR PREPARATION PROGRAMS, THE  
30 INDIVIDUAL MAY SERVE AS A SUBSTITUTE TEACHER FOR NO MORE THAN

1 TEN (10) DAYS IN THE INDIVIDUAL'S ASSIGNED CLASSROOM OR  
2 CLASSROOMS OR FOR OTHER TEACHERS WITHIN THE BUILDING OR  
3 BUILDINGS IN WHICH THE INDIVIDUAL HAS BEEN PLACED AS A STUDENT  
4 TEACHER.

5 \* \* \*

6 SECTION 4. SECTION 1215 OF THE ACT IS AMENDED TO READ:

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

25 SECTION 5. SECTION 1218 OF THE ACT, EXPIRED JUNE 30, 2023,  
26 IS REPEALED:

27 [SECTION 1218. PERMIT FOR CLASSROOM MONITORS.-- (A) A SCHOOL  
28 ENTITY MAY REQUEST THAT THE DEPARTMENT ISSUE A CLASSROOM MONITOR  
29 PERMIT TO ALLOW AN INDIVIDUAL TO DELIVER TO STUDENTS ASSIGNMENTS  
30 THAT ARE PREPLANNED BY A PROFESSIONAL EMPLOYEE OR TEMPORARY

1 PROFESSIONAL EMPLOYEE. A CLASSROOM MONITOR MAY NOT PLAN LESSONS  
2 OR CREATE OR GRADE STUDENT WORK.

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

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

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

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

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

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

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

29 (E) EACH SCHOOL ENTITY SHALL REPORT TO THE DEPARTMENT THE  
30 FOLLOWING BY MARCH 31, 2023:

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

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

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

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

24 SECTION 6. THE ACT IS AMENDED BY ADDING A SECTION TO READ:  
25 SECTION 1218.1. PERMIT FOR CLASSROOM MONITORS.--(A) A  
26 SCHOOL ENTITY MAY REQUEST THAT THE DEPARTMENT ISSUE A CLASSROOM  
27 MONITOR PERMIT TO ALLOW AN INDIVIDUAL TO DELIVER TO STUDENTS  
28 ASSIGNMENTS THAT ARE PREPLANNED BY A PROFESSIONAL EMPLOYE OR  
29 TEMPORARY PROFESSIONAL EMPLOYE. A CLASSROOM MONITOR MAY NOT PLAN  
30 LESSONS OR CREATE OR GRADE STUDENT WORK.

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

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

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

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

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

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

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

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

29 (1) THE NUMBER OF INDIVIDUALS WHO SERVED AS CLASSROOM  
30 MONITORS UNDER THIS SECTION AND THE NUMBER OF DAYS ON WHICH THE

1 SCHOOL ENTITY USED THE SERVICES OF CLASSROOM MONITORS.

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

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

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

22 SECTION 7. THE ACT IS AMENDED BY ADDING ARTICLES TO READ:

23 ARTICLE XII-B

24 INTERSTATE TEACHER MOBILITY COMPACT

25 Section 1201-B. Scope of article.

26 This article relates to the Interstate Teacher Mobility  
27 Compact.

28 Section 1202-B. Authority to execute compact.

29 The Governor of Pennsylvania, on behalf of this State, is  
30 authorized to execute a compact in substantially the following

1 form with any one or more of the states of the United States and  
2 the General Assembly hereby signifies in advance its approval  
3 and ratification of the compact:

4 INTERSTATE TEACHER MOBILITY COMPACT

5 ARTICLE I- PURPOSE

6 The purpose of this Compact is to facilitate the mobility of  
7 Teachers across the Member States, with the goal of supporting  
8 Teachers through a new pathway to licensure. Through this  
9 Compact, the Member States seek to establish a collective  
10 regulatory framework that expedites and enhances the ability of  
11 Teachers to move across State lines.

12 This Compact is intended to achieve the following objectives  
13 and should be interpreted accordingly. The Member States hereby  
14 ratify the same intentions by subscribing hereto.

15 A. Create a streamlined pathway to licensure mobility for  
16 Teachers;

17 B. Support the relocation of Eligible Military Spouses;

18 C. Facilitate and enhance the exchange of licensure,  
19 investigative, and disciplinary information between the Member  
20 States;

21 D. Enhance the power of State and district level education  
22 officials to hire qualified, competent Teachers by removing  
23 barriers to the employment of out-of-state Teachers;

24 E. Support the retention of Teachers in the profession by  
25 removing barriers to relicensure in a new State; and

26 F. Maintain State sovereignty in the regulation of the  
27 teaching profession.

28 ARTICLE II- DEFINITIONS

29 As used in this Compact, and except as otherwise provided,  
30 the following definitions shall govern the terms herein:

1 A. "Active Military Member" - means any person with full-time  
2 duty status in the armed forces of the United States, including  
3 members of the National Guard and Reserve.

4 B. "Adverse Action" - means any limitation or restriction  
5 imposed by a Member State's Licensing Authority, such as  
6 revocation, suspension, reprimand, probation, or limitation on  
7 the licensee's ability to work as a Teacher.

8 C. "Bylaws" - means those bylaws established by the  
9 Commission.

10 D. "Career and Technical Education License" - means a  
11 current, valid authorization issued by a Member State's  
12 Licensing Authority allowing an individual to serve as a Teacher  
13 in P-12 public educational settings in a specific career and  
14 technical education area.

15 E. "Charter Member States" - means a Member State that has  
16 enacted legislation to adopt this Compact where such legislation  
17 predates the initial meeting of the Commission after the  
18 effective date of the Compact.

19 F. "Commission" - means the interstate administrative body  
20 which membership consists of delegates of all States that have  
21 enacted this Compact, and which is known as the Interstate  
22 Teacher Mobility Compact Commission.

23 G. "Commissioner" - means the delegate of a Member State.

24 H. "Eligible License" - means a license to engage in the  
25 teaching profession which requires at least a bachelor's degree  
26 and the completion of a state approved program for Teacher  
27 licensure.

28 I. "Eligible Military Spouse" - means the spouse of any  
29 individual in full-time duty status in the active armed forces  
30 of the United States including members of the National Guard and



1 Reserve moving as a result of a military mission or military  
2 career progression requirements or are on their terminal move as  
3 a result of separation or retirement (to include surviving  
4 spouses of deceased military members).

5 J. "Executive Committee" - means a group of Commissioners  
6 elected or appointed to act on behalf of, and within the powers  
7 granted to them by, the Commission as provided for herein.

8 K. "Licensing Authority" - means an official, agency, board,  
9 or other entity of a State that is responsible for the licensing  
10 and regulation of Teachers authorized to teach in P-12 public  
11 educational settings.

12 L. "Member State" - means any State that has adopted this  
13 Compact, including all agencies and officials of such a State.

14 M. "Receiving State" - means any State where a Teacher has  
15 applied for licensure under this Compact.

16 N. "Rule" - means any regulation promulgated by the  
17 Commission under this Compact, which shall have the force of law  
18 in each Member State.

19 O. "State" - means a state, territory, or possession of the  
20 United States, and the District of Columbia.

21 P. "State Practice Laws" - means a Member State's laws,  
22 Rules, and regulations that govern the teaching profession,  
23 define the scope of such profession, and create the methods and  
24 grounds for imposing discipline.

25 Q. "State Specific Requirements" - means a requirement for  
26 licensure covered in coursework or examination that includes  
27 content of unique interest to the State.

28 R. "Teacher" - means an individual who currently holds an  
29 authorization from a Member State that forms the basis for  
30 employment in the P-12 public schools of the State to provide

1 instruction in a specific subject area, grade level, or student  
2 population.

3 S. "Unencumbered License" - means a current, valid  
4 authorization issued by a Member State's Licensing Authority  
5 allowing an individual to serve as a Teacher in P-12 public  
6 educational settings. A Unencumbered License is not a  
7 restricted, probationary, provisional, substitute or temporary  
8 credential.

9 ARTICLE III- LICENSURE UNDER THE COMPACT

10 A. Licensure under this Compact pertains only to the initial  
11 grant of a license by the Receiving State. Nothing herein  
12 applies to any subsequent or ongoing compliance requirements  
13 that a Receiving State might require for Teachers.

14 B. Each Member State shall, in accordance with the Rules of  
15 the Commission, define, compile, and update as necessary, a list  
16 of Eligible Licenses and Career and Technical Education Licenses  
17 that the Member State is willing to consider for equivalency  
18 under this Compact and provide the list to the Commission. The  
19 list shall include those licenses that a Receiving State is  
20 willing to grant to Teachers from other Member States, pending a  
21 determination of equivalency by the Receiving State's Licensing  
22 Authority.

23 C. Upon the receipt of an application for licensure by a  
24 Teacher holding an Unencumbered Eligible License, the Receiving  
25 State shall determine which of the Receiving State's Eligible  
26 Licenses the Teacher is qualified to hold and shall grant such a  
27 license or licenses to the applicant. Such a determination shall  
28 be made in the sole discretion of the Receiving State's  
29 Licensing Authority and may include a determination that the  
30 applicant is not eligible for any of the Receiving State's

1 Eligible Licenses. For all Teachers who hold an Unencumbered  
2 License, the Receiving State shall grant one or more  
3 Unencumbered License(s) that, in the Receiving State's sole  
4 discretion, are equivalent to the license(s) held by the Teacher  
5 in any other Member State.

6 D. For Active Military Members and Eligible Military Spouses  
7 who hold a license that is not Unencumbered, the Receiving State  
8 shall grant an equivalent license or licenses that, in the  
9 Receiving State's sole discretion, is equivalent to the license  
10 or licenses held by the Teacher in any other Member State,  
11 except where the Receiving State does not have an equivalent  
12 license.

13 E. For a Teacher holding an Unencumbered Career and Technical  
14 Education License, the Receiving State shall grant an  
15 Unencumbered License equivalent to the Career and Technical  
16 Education License held by the applying Teacher and issued by  
17 another Member State, as determined by the Receiving State in  
18 its sole discretion, except where a Career and Technical  
19 Education Teacher does not hold a bachelor's degree and the  
20 Receiving State requires a bachelor's degree for licenses to  
21 teach Career and Technical Education. A Receiving State may  
22 require Career and Technical Education Teachers to meet State  
23 industry recognized requirements, if required by law in the  
24 Receiving State.

25 ARTICLE IV- LICENSURE NOT UNDER THE COMPACT

26 A. Except as provided in Article III above, nothing in this  
27 Compact shall be construed to limit or inhibit the power of a  
28 Member State to regulate licensure or endorsements overseen by  
29 the Member State's Licensing Authority.

30 B. When a Teacher is required to renew a license received

1 pursuant to this Compact, the State granting such a license may  
2 require the Teacher to complete State Specific Requirements as a  
3 condition of licensure renewal or advancement in that State.

4 C. For the purposes of determining compensation, a Receiving  
5 State may require additional information from Teachers receiving  
6 a license under the provisions of this Compact.

7 D. Nothing in this Compact shall be construed to limit the  
8 power of a Member State to control and maintain ownership of its  
9 information pertaining to Teachers, or limit the application of  
10 a Member State's laws or regulations governing the ownership,  
11 use, or dissemination of information pertaining to Teachers.

12 E. Nothing in this Compact shall be construed to invalidate  
13 or alter any existing agreement or other cooperative arrangement  
14 which a Member State may already be a party to, or limit the  
15 ability of a Member State to participate in any future agreement  
16 or other cooperative arrangement to:

17 1. Award teaching licenses or other benefits based on  
18 additional professional credentials, including, but not  
19 limited to National Board Certification;

20 2. Participate in the exchange of names of Teachers whose  
21 license has been subject to an Adverse Action by a Member  
22 State; or

23 3. Participate in any agreement or cooperative  
24 arrangement with a non-Member State.

25 ARTICLE V- TEACHER QUALIFICATIONS AND REQUIREMENTS FOR LICENSURE  
26 UNDER THE COMPACT

27 A. Except as provided for Active Military Members or Eligible  
28 Military Spouses in Article III.D above, a Teacher may only be  
29 eligible to receive a license under this Compact where that  
30 Teacher holds an Unencumbered License in a Member State.

1 B. A Teacher eligible to receive a license under this Compact  
2 shall, unless otherwise provided for herein:

3 1. Upon their application to receive a license under this  
4 Compact, undergo a criminal background check in the Receiving  
5 State in accordance with the laws and regulations of the  
6 Receiving State; and

7 2. Provide the Receiving State with information in  
8 addition to the information required for licensure for the  
9 purposes of determining compensation, if applicable.

10 ARTICLE VI- DISCIPLINE / ADVERSE ACTIONS

11 A. Nothing in this Compact shall be deemed or construed to  
12 limit the authority of a Member State to investigate or impose  
13 disciplinary measures on Teachers according to the State  
14 Practice Laws thereof.

15 B. Member States shall be authorized to receive, and shall  
16 provide, files and information regarding the investigation and  
17 discipline, if any, of Teachers in other Member States upon  
18 request. Any Member State receiving such information or files  
19 shall protect and maintain the security and confidentiality  
20 thereof, in at least the same manner that it maintains its own  
21 investigatory or disciplinary files and information. Prior to  
22 disclosing any disciplinary or investigatory information  
23 received from another Member State, the disclosing state shall  
24 communicate its intention and purpose for such disclosure to the  
25 Member State which originally provided that information.

26 ARTICLE VII- ESTABLISHMENT OF THE INTERSTATE TEACHER MOBILITY  
27 COMPACT COMMISSION

28 A. The interstate compact Member States hereby create and  
29 establish a joint public agency known as the Interstate Teacher  
30 Mobility Compact Commission:

1           1. The Commission is a joint interstate governmental  
2 agency comprised of States that have enacted the Interstate  
3 Teacher Mobility Compact.

4           2. Nothing in this interstate compact shall be construed  
5 to be a waiver of sovereign immunity.

6 B. Membership, Voting, and Meetings

7           1. Each Member State shall have and be limited to one (1)  
8 delegate to the Commission, who shall be given the title of  
9 Commissioner.

10          2. The Commissioner shall be the primary administrative  
11 officer of the State Licensing Authority or their designee.

12          3. Any Commissioner may be removed or suspended from  
13 office as provided by the law of the state from which the  
14 Commissioner is appointed.

15          4. The Member State shall fill any vacancy occurring in  
16 the Commission within 90 days.

17          5. Each Commissioner shall be entitled to one (1) vote  
18 about the promulgation of Rules and creation of Bylaws and  
19 shall otherwise have an opportunity to participate in the  
20 business and affairs of the Commission. A Commissioner shall  
21 vote in person or by such other means as provided in the  
22 Bylaws. The Bylaws may provide for Commissioners'  
23 participation in meetings by telephone or other means of  
24 communication.

25          6. The Commission shall meet at least once during each  
26 calendar year. Additional meetings shall be held as set forth  
27 in the Bylaws.

28          7. The Commission shall establish by Rule a term of  
29 office for Commissioners.

30 C. The Commission shall have the following powers and duties:

- 1           1. Establish a Code of Ethics for the Commission.
- 2           2. Establish the fiscal year of the Commission.
- 3           3. Establish Bylaws for the Commission.
- 4           4. Maintain its financial records in accordance with the  
5 Bylaws of the Commission.
- 6           5. Meet and take such actions as are consistent with the  
7 provisions of this interstate compact, the Bylaws, and Rules  
8 of the Commission.
- 9           6. Promulgate uniform Rules to implement and administer  
10 this interstate compact. The Rules shall have the force and  
11 effect of law and shall be binding in all Member States. In  
12 the event the Commission exercises its Rulemaking authority  
13 in a manner that is beyond the scope of the purposes of the  
14 compact, or the powers granted hereunder, then such an action  
15 by the Commission shall be invalid and have no force and  
16 effect of law.
- 17           7. Bring and prosecute legal proceedings or actions in  
18 the name of the Commission, provided that the standing of any  
19 Member State Licensing Authority to sue or be sued under  
20 applicable law shall not be affected.
- 21           8. Purchase and maintain insurance and bonds.
- 22           9. Borrow, accept, or contract for services of personnel,  
23 including, but not limited to, employees of a Member State,  
24 or an associated nongovernmental organization that is open to  
25 membership by all states.
- 26           10. Hire employees, elect, or appoint officers, fix  
27 compensation, define duties, grant such individuals  
28 appropriate authority to carry out the purposes of the  
29 compact, and establish the Commission's personnel policies  
30 and programs relating to conflicts of interest,

1 qualifications of personnel, and other related personnel  
2 matters.

3 11. Lease, purchase, accept appropriate gifts or donations  
4 of, or otherwise own, hold, improve, or use, any property,  
5 real, personal or mixed, provided that at all times the  
6 Commission shall avoid any appearance of impropriety.

7 12. Sell, convey, mortgage, pledge, lease, exchange,  
8 abandon, or otherwise dispose of any property real, personal,  
9 or mixed.

10 13. Establish a budget and make expenditures.

11 14. Borrow money.

12 15. Appoint committees, including standing committees  
13 composed of members and such other interested persons as may  
14 be designated in this interstate compact, Rules, or Bylaws.

15 16. Provide and receive information from, and cooperate  
16 with, law enforcement agencies.

17 17. Establish and elect an Executive Committee.

18 18. Establish and develop a charter for an Executive  
19 Information Governance Committee to advise on facilitating  
20 exchange of information; use of information, data privacy,  
21 and technical support needs, and provide reports as needed.

22 19. Perform such other functions as may be necessary or  
23 appropriate to achieve the purposes of this interstate  
24 compact consistent with the State regulation of Teacher  
25 licensure.

26 20. Determine whether a State's adopted language is  
27 materially different from the model compact language such  
28 that the State would not qualify for participation in the  
29 Compact.

30 D. The Executive Committee of the Interstate Teacher Mobility



1 Compact Commission.

2 1. The Executive Committee shall have the power to act on  
3 behalf of the Commission according to the terms of this  
4 interstate compact.

5 2. The Executive Committee shall be composed of eight  
6 voting members:

7 a. The Commission chair, vice chair, and treasurer;  
8 and

9 b. Five members who are elected by the Commission  
10 from the current membership:

11 i. Four voting members representing geographic  
12 regions in accordance with Commission Rules; and

13 ii. One at large voting member in accordance with  
14 Commission Rules.

15 3. The Commission may add or remove members of the  
16 Executive Committee as provided in Commission Rules.

17 4. The Executive Committee shall meet at least once  
18 annually.

19 5. The Executive Committee shall have the following  
20 duties and responsibilities:

21 a. Recommend to the entire Commission changes to the  
22 Rules or Bylaws, changes to the compact legislation, fees  
23 paid by interstate compact Member States such as annual  
24 dues, and any compact fee charged by the Member States on  
25 behalf of the Commission.

26 b. Ensure Commission administration services are  
27 appropriately provided, contractual or otherwise.

28 c. Prepare and recommend the budget.

29 d. Maintain financial records on behalf of the  
30 Commission.

1 e. Monitor compliance of Member States and provide  
2 reports to the Commission.

3 f. Perform other duties as provided in Rules or  
4 Bylaws.

5 6. Meetings of the Commission

6 a. All meetings shall be open to the public, and  
7 public notice of meetings shall be given in accordance  
8 with Commission Bylaws.

9 b. The Commission or the Executive Committee or other  
10 committees of the Commission may convene in a closed,  
11 non-public meeting if the Commission or Executive  
12 Committee or other committees of the Commission must  
13 discuss:

14 i. Non-compliance of a Member State with its  
15 obligations under the compact.

16 ii. The employment, compensation, discipline or  
17 other matters, practices or procedures related to  
18 specific employees or other matters related to the  
19 Commission's internal personnel practices and  
20 procedures.

21 iii. Current, threatened, or reasonably  
22 anticipated litigation.

23 iv. Negotiation of contracts for the purchase,  
24 lease, or sale of goods, services, or real estate.

25 v. Accusing any person of a crime or formally  
26 censuring any person.

27 vi. Disclosure of trade secrets or commercial or  
28 financial information that is privileged or  
29 confidential.

30 vii. Disclosure of information of a personal

1 nature where disclosure would constitute a clearly  
2 unwarranted invasion of personal privacy.

3 viii. Disclosure of investigative records  
4 compiled for law enforcement purposes.

5 ix. Disclosure of information related to any  
6 investigative reports prepared by or on behalf of or  
7 for use of the Commission or other committee charged  
8 with responsibility of investigation or determination  
9 of compliance issues pursuant to the compact.

10 x. Matters specifically exempted from disclosure  
11 by federal or Member State statute.

12 xi. Others matters as set forth by Commission  
13 Bylaws and Rules.

14 c. If a meeting, or portion of a meeting, is closed  
15 pursuant to this provision, the Commission's legal  
16 counsel or designee shall certify that the meeting may be  
17 closed and shall reference each relevant exempting  
18 provision.

19 d. The Commission shall keep minutes of Commission  
20 meetings and shall provide a full and accurate summary of  
21 actions taken, and the reasons therefore, including a  
22 description of the views expressed. All documents  
23 considered in connection with an action shall be  
24 identified in such minutes. All minutes and documents of  
25 a closed meeting shall remain under seal, subject to  
26 release by a majority vote of the Commission or order of  
27 a court of competent jurisdiction.

## 28 7. Financing of the Commission

29 a. The Commission shall pay, or provide for the  
30 payment of, the reasonable expenses of its establishment,

1 organization, and ongoing activities.

2 b. The Commission may accept all appropriate  
3 donations and grants of money, equipment, supplies,  
4 materials, and services, and receive, utilize, and  
5 dispose of the same, provided that at all times the  
6 Commission shall avoid any appearance of impropriety or  
7 conflict of interest.

8 c. The Commission may levy on and collect an annual  
9 assessment from each Member State or impose fees on other  
10 parties to cover the cost of the operations and  
11 activities of the Commission, in accordance with the  
12 Commission Rules.

13 d. The Commission shall not incur obligations of any  
14 kind prior to securing the funds adequate to meet the  
15 same; nor shall the Commission pledge the credit of any  
16 of the Member States, except by and with the authority of  
17 the Member State.

18 e. The Commission shall keep accurate accounts of all  
19 receipts and disbursements. The receipts and  
20 disbursements of the Commission shall be subject to  
21 accounting procedures established under Commission  
22 Bylaws. All receipts and disbursements of funds of the  
23 Commission shall be reviewed annually in accordance with  
24 Commission Bylaws, and a report of the review shall be  
25 included in and become part of the annual report of the  
26 Commission.

27 8. Qualified Immunity, Defense, and Indemnification

28 a. The members, officers, executive director,  
29 employees and representatives of the Commission shall be  
30 immune from suit and liability, either personally or in

1 their official capacity, for any claim for damage to or  
2 loss of property or personal injury or other civil  
3 liability caused by or arising out of any actual or  
4 alleged act, error or omission that occurred, or that the  
5 person against whom the claim is made had a reasonable  
6 basis for believing occurred within the scope of  
7 Commission employment, duties or responsibilities;  
8 provided that nothing in this paragraph shall be  
9 construed to protect any such person from suit or  
10 liability for any damage, loss, injury, or liability  
11 caused by the intentional or willful or wanton misconduct  
12 of that person.

13 b. The Commission shall defend any member, officer,  
14 executive director, employee, or representative of the  
15 Commission in any civil action seeking to impose  
16 liability arising out of any actual or alleged act,  
17 error, or omission that occurred within the scope of  
18 Commission employment, duties, or responsibilities, or  
19 that the person against whom the claim is made had a  
20 reasonable basis for believing occurred within the scope  
21 of Commission employment, duties, or responsibilities;  
22 provided that nothing herein shall be construed to  
23 prohibit that person from retaining his or her own  
24 counsel; and provided further, that the actual or alleged  
25 act, error, or omission did not result from that person's  
26 intentional or willful or wanton misconduct.

27 c. The Commission shall indemnify and hold harmless  
28 any member, officer, executive director, employee, or  
29 representative of the Commission for the amount of any  
30 settlement or judgment obtained against that person

1 arising out of any actual or alleged act, error or  
2 omission that occurred within the scope of Commission  
3 employment, duties, or responsibilities, or that such  
4 person had a reasonable basis for believing occurred  
5 within the scope of Commission employment, duties, or  
6 responsibilities, provided that the actual or alleged  
7 act, error, or omission did not result from the  
8 intentional or willful or wanton misconduct of that  
9 person.

10 ARTICLE VIII- RULEMAKING

11 A. The Commission shall exercise its Rulemaking powers  
12 pursuant to the criteria set forth in this interstate compact  
13 and the Rules adopted thereunder. Rules and amendments shall  
14 become binding as of the date specified in each Rule or  
15 amendment.

16 B. The Commission shall promulgate reasonable Rules to  
17 achieve the intent and purpose of this interstate compact. In  
18 the event the Commission exercises its Rulemaking authority in a  
19 manner that is beyond purpose and intent of this interstate  
20 compact, or the powers granted hereunder, then such an action by  
21 the Commission shall be invalid and have no force and effect of  
22 law in the Member States.

23 C. If a majority of the legislatures of the Member States  
24 rejects a Rule, by enactment of a statute or resolution in the  
25 same manner used to adopt the compact within four (4) years of  
26 the date of adoption of the Rule, then such Rule shall have no  
27 further force and effect in any Member State.

28 D. Rules or amendments to the Rules shall be adopted or  
29 ratified at a regular or special meeting of the Commission in  
30 accordance with Commission Rules and Bylaws.

1 E. Upon determination that an emergency exists, the  
2 Commission may consider and adopt an emergency Rule with 48  
3 hours' notice, with opportunity to comment, provided that the  
4 usual Rulemaking procedures shall be retroactively applied to  
5 the Rule as soon as reasonably possible, in no event later than  
6 ninety (90) days after the effective date of the Rule. For the  
7 purposes of this provision, an emergency Rule is one that must  
8 be adopted immediately in order to:

9 1. Meet an imminent threat to public health, safety, or  
10 welfare.

11 2. Prevent a loss of Commission or Member State funds.

12 3. Meet a deadline for the promulgation of an  
13 administrative Rule that is established by federal law or  
14 Rule; or

15 4. Protect public health and safety.

16 ARTICLE IX- FACILITATING INFORMATION EXCHANGE

17 A. The Commission shall provide for facilitating the exchange  
18 of information to administer and implement the provisions of  
19 this compact in accordance with the Rules of the Commission,  
20 consistent with generally accepted data protection principles.

21 B. Nothing in this compact shall be deemed or construed to  
22 alter, limit, or inhibit the power of a Member State to control  
23 and maintain ownership of its licensee information or alter,  
24 limit, or inhibit the laws or regulations governing licensee  
25 information in the Member State.

26 ARTICLE X- OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT

27 A. Oversight

28 1. The executive and judicial branches of State  
29 government in each Member State shall enforce this Compact  
30 and take all actions necessary and appropriate to effectuate

1 the Compact's purposes and intent. The provisions of this  
2 Compact shall have standing as statutory law.

3 2. Venue is proper and judicial proceedings by or against  
4 the Commission shall be brought solely and exclusively in a  
5 court of competent jurisdiction where the principal office of  
6 the Commission is located. The Commission may waive venue and  
7 jurisdictional defenses to the extent it adopts or consents  
8 to participate in alternative dispute resolution proceedings.  
9 Nothing herein shall affect or limit the selection or  
10 propriety of venue in any action against a licensee for  
11 professional malpractice, misconduct or any such similar  
12 matter.

13 3. All courts and all administrative agencies shall take  
14 judicial notice of the Compact, the Rules of the Commission,  
15 and any information provided to a Member State pursuant  
16 thereto in any judicial or quasi-judicial proceeding in a  
17 Member State pertaining to the subject matter of this  
18 Compact, or which may affect the powers, responsibilities, or  
19 actions of the Commission.

20 4. The Commission shall be entitled to receive service of  
21 process in any proceeding regarding the enforcement or  
22 interpretation of the Compact and shall have standing to  
23 intervene in such a proceeding for all purposes. Failure to  
24 provide the Commission service of process shall render a  
25 judgment or order void as to the Commission, this Compact, or  
26 promulgated Rules.

27 B. Default, Technical Assistance, and Termination

28 1. If the Commission determines that a Member State has  
29 defaulted in the performance of its obligations or  
30 responsibilities under this Compact or the promulgated Rules,



1 the Commission shall:

2 a. Provide written notice to the defaulting State and  
3 other Member States of the nature of the default, the  
4 proposed means of curing the default or any other action  
5 to be taken by the Commission; and

6 b. Provide remedial training and specific technical  
7 assistance regarding the default.

8 C. If a State in default fails to cure the default, the  
9 defaulting State may be terminate from the Compact upon an  
10 affirmative vote of a majority of the Commissioners of the  
11 Member States, and all rights, privileges and benefits conferred  
12 on that State by this Compact may be terminated on the effective  
13 date of termination. A cure of the default does not relieve the  
14 offending State of obligations or liabilities incurred during  
15 the period of default.

16 D. Termination of membership in the Compact shall be imposed  
17 only after all other means of securing compliance have been  
18 exhausted. Notice of intent to suspend or terminate shall be  
19 given by the Commission to the governor, the majority and  
20 minority leaders of the defaulting State's legislature, the  
21 State Licensing Authority and each of the Member States.

22 E. A State that has been terminated is responsible for all  
23 assessments, obligations, and liabilities incurred through the  
24 effective date of termination, including obligations that extend  
25 beyond the effective date of termination.

26 F. The Commission shall not bear any costs related to a State  
27 that is found to be in default or that has been terminated from  
28 the Compact, unless agreed upon in writing between the  
29 Commission and the defaulting State.

30 G. The defaulting State may appeal the action of the

1 Commission by petitioning the U.S. District Court for the  
2 District of Columbia or the federal district where the  
3 Commission has its principal offices. The prevailing party shall  
4 be awarded all costs of such litigation, including reasonable  
5 attorney's fees.

6 H. Dispute Resolution

7 1. Upon request by a Member State, the Commission shall  
8 attempt to resolve disputes related to the Compact that arise  
9 among Member States and between Member and non-Member States.

10 2. The Commission shall promulgate a Rule providing for  
11 both binding and nonbinding alternative dispute resolution  
12 for disputes as appropriate.

13 I. Enforcement

14 1. The Commission, in the reasonable exercise of its  
15 discretion, shall enforce the provisions and Rules of this  
16 Compact.

17 2. By majority vote, the Commission may initiate legal  
18 action in the United States District Court for the District  
19 of Columbia or the federal district where the Commission has  
20 its principal offices against a Member State in default to  
21 enforce compliance with the provisions of the Compact and its  
22 promulgated Rules and Bylaws. The relief sought may include  
23 both injunctive relief and damages. In the event judicial  
24 enforcement is necessary, the prevailing party shall be  
25 awarded all costs of such litigation, including reasonable  
26 attorney's fees. The remedies herein shall not be the  
27 exclusive remedies of the Commission. The Commission may  
28 pursue any other remedies available under federal or State  
29 law.

30 ARTICLE XI- EFFECTUATION, WITHDRAWAL, AND AMENDMENT

1 A. The Compact shall come into effect on the date on which  
2 the Compact statute is enacted into law in the tenth Member  
3 State.

4 1. On or after the effective date of the Compact, the  
5 Commission shall convene and review the enactment of each of  
6 the Charter Member States to determine if the statute enacted  
7 by each such Charter Member State is materially different  
8 from the model Compact statute.

9 2. A Charter Member State whose enactment is found to be  
10 materially different from the model Compact statute shall be  
11 entitled to the default process set forth in Article X.

12 3. Member States enacting the Compact subsequent to the  
13 Charter Member States shall be subject to the process set  
14 forth in Article VII.C.20 to determine if their enactments  
15 are materially different from the model Compact statute and  
16 whether they qualify for participation in the Compact.

17 B. If any Member State is later found to be in default, or is  
18 terminated or withdraws from the Compact, the Commission shall  
19 remain in existence and the Compact shall remain in effect even  
20 if the number of Member States should be less than ten.

21 C. Any State that joins the Compact after the Commission's  
22 initial adoption of the Rules and Bylaws shall be subject to the  
23 Rules and Bylaws as they exist on the date on which the Compact  
24 becomes law in that State. Any Rule that has been previously  
25 adopted by the Commission shall have the full force and effect  
26 of law on the day the Compact becomes law in that State, as the  
27 Rules and Bylaws may be amended as provided in this Compact.

28 D. Any Member State may withdraw from this Compact by  
29 enacting a statute repealing the same.

30 1. A Member State's withdrawal shall not take effect

1 until six (6) months after enactment of the repealing  
2 statute.

3 2. Withdrawal shall not affect the continuing requirement  
4 of the withdrawing State's Licensing Authority to comply with  
5 the investigative and Adverse Action reporting requirements  
6 of this act prior to the effective date of withdrawal.

7 E. This Compact may be amended by the Member States. No  
8 amendment to this Compact shall become effective and binding  
9 upon any Member State until it is enacted into the laws of all  
10 Member States.

11 ARTICLE XII- CONSTRUCTION AND SEVERABILITY

12 This Compact shall be liberally construed to effectuate the  
13 purposes thereof. The provisions of this Compact shall be  
14 severable and if any phrase, clause, sentence, or provision of  
15 this Compact is declared to be contrary to the constitution of  
16 any Member State or a State seeking membership in the compact,  
17 or of the United States or the applicability thereof to any  
18 other government, agency, person or circumstance is held  
19 invalid, the validity of the remainder of this Compact and the  
20 applicability thereof to any government, agency, person, or  
21 circumstance shall not be affected thereby. If this Compact  
22 shall be held contrary to the constitution of any Member State,  
23 the Compact shall remain in full force and effect as to the  
24 remaining Member States and in full force and effect as to the  
25 Member State affected as to all severable matters.

26 ARTICLE XIII- CONSISTENT EFFECT AND CONFLICT WITH OTHER STATE

27 LAWS

28 A. Nothing herein shall prevent or inhibit the enforcement of  
29 any other law of a Member State that is not inconsistent with  
30 the Compact.

1 B. Any laws, statutes, regulations, or other legal  
2 requirements in a Member State in conflict with the Compact are  
3 superseded to the extent of the conflict.

4 C. All permissible agreements between the Commission and the  
5 Member States are binding in accordance with their terms.

6 Section 1203-B. When and how compact becomes operative.

7 (a) General rule.--When the Governor executes the Interstate  
8 Teacher Mobility Compact on behalf of this State and files a  
9 verified copy thereof with the Secretary of the Commonwealth and  
10 when the compact is ratified by one or more other states, the  
11 compact shall become operative and effective between this State  
12 and such other state or states. The Governor is authorized and  
13 directed to take such action as may be necessary to complete the  
14 exchange of official documents between this State and any other  
15 state ratifying the compact.

16 (b) Notice in Pennsylvania Bulletin.--The Secretary of the  
17 Commonwealth shall transmit to the Legislative Reference Bureau  
18 for publication in the next available issue of the Pennsylvania  
19 Bulletin a notice when the conditions specified in subsection  
20 (a) are satisfied and shall include in the notice the date on  
21 which the compact became effective and operative between this  
22 State and any other state or states in accordance with this  
23 article.

24 Section 1204-B. Compensation and expenses of commissioner.

25 The commissioner who represents this State, as provided for  
26 in the Interstate Teacher Mobility Compact, shall not be  
27 entitled to any additional compensation for his duties and  
28 responsibilities as commissioner but shall be entitled to  
29 reimbursement for reasonable expenses actually incurred in  
30 connection with his duties and responsibilities as commissioner

1 in the same manner as for expenses incurred in connection with  
2 other duties and responsibilities of his office or employment.

3 ~~Section 2. This act shall take effect in 60 days.~~ <--

4 ARTICLE XII-C <--

5 EDUCATOR PIPELINE SUPPORT GRANT PROGRAM

6 SECTION 1201-C. SCOPE OF ARTICLE.

7 THIS ARTICLE RELATES TO EDUCATOR WORKFORCE.

8 SECTION 1202-C. DEFINITIONS.

9 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE  
10 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE  
11 CONTEXT CLEARLY INDICATES OTHERWISE:

12 "AGENCY." THE PENNSYLVANIA HIGHER EDUCATION ASSISTANCE  
13 AGENCY.

14 "APPROVED EDUCATOR PREPARATION PROGRAM." A SEQUENCE OF  
15 COURSES AND EXPERIENCES OFFERED BY AN INSTITUTION OF HIGHER  
16 EDUCATION THAT IS REVIEWED AND APPROVED BY THE DEPARTMENT.

17 "COOPERATING TEACHER." AN INDIVIDUAL WHO SATISFIES ALL OF  
18 THE FOLLOWING:

19 (1) HOLDS A CERTIFICATION UNDER SECTION 1201 IN THE  
20 SUBJECT AREA IN WHICH THE INDIVIDUAL WILL BE PROVIDING  
21 GUIDANCE TO THE STUDENT TEACHER.

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

24 (3) HAS AT LEAST ONE YEAR OF CERTIFICATED TEACHING  
25 EXPERIENCE IN THE SCHOOL ENTITY WHERE THE STUDENT TEACHER IS  
26 PLACED.

27 "DEPARTMENT." THE DEPARTMENT OF EDUCATION OF THE  
28 COMMONWEALTH.

29 "INSTITUTION OF HIGHER EDUCATION." A COLLEGE OR UNIVERSITY  
30 THAT OFFERS A PROGRAM APPROVED BY THE DEPARTMENT TO PREPARE

1 PROFESSIONAL PERSONNEL FOR EMPLOYMENT IN A SCHOOL ENTITY IN  
2 ACCORDANCE WITH 22 PA. CODE CH. 49 (RELATING TO CERTIFICATION OF  
3 PROFESSIONAL PERSONNEL).

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

5 "PROGRAM." THE EDUCATOR PIPELINE SUPPORT GRANT PROGRAM  
6 ESTABLISHED UNDER SECTION 1203-C.

7 "SCHOOL ENTITY." A SCHOOL DISTRICT, INTERMEDIATE UNIT, AREA  
8 CAREER AND TECHNICAL SCHOOL, CHARTER SCHOOL, REGIONAL CHARTER  
9 SCHOOL OR CYBER CHARTER SCHOOL OPERATING WITHIN THIS  
10 COMMONWEALTH.

11 "STUDENT TEACHER." AN INDIVIDUAL PARTICIPATING IN A  
12 CLASSROOM TEACHING EXPERIENCE WHO, AS PART OF AN APPROVED  
13 EDUCATOR PREPARATION PROGRAM FOR THE INITIAL OR ADVANCED  
14 PREPARATION OF PROFESSIONAL EDUCATORS, PERFORMS CLASSROOM  
15 TEACHING OR ASSISTS IN A SCHOOL ENTITY'S OR NONPUBLIC SCHOOL'S  
16 EDUCATION PROGRAM UNDER THE SUPERVISION OF A COOPERATING  
17 TEACHER.

18 SECTION 1203-C. PROGRAM ESTABLISHMENT AND DUTIES OF AGENCY.

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

21 (B) DUTIES.--THE AGENCY, IN CONSULTATION WITH THE  
22 DEPARTMENT, SHALL ADMINISTER THE PROGRAM AND, IN THE AGENCY'S  
23 SOLE DISCRETION, AWARD A GRANT TO AN INDIVIDUAL WHO SUBMITS A  
24 COMPLETED APPLICATION AND SATISFIES THE ELIGIBILITY REQUIREMENTS  
25 UNDER SECTION 1204-C.

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

1 (D) (RESERVED).

2 (E) GRANT AMOUNT.--

3 (1) A STUDENT TEACHER SHALL RECEIVE A MINIMUM GRANT OF  
4 \$10,000.

5 (2) A PAYMENT RECEIVED BY AN INDIVIDUAL UNDER THIS  
6 ARTICLE SHALL NOT BE INCLUDED IN CLASSES OF INCOME UNDER  
7 SECTION 303 OF THE ACT OF MARCH 4, 1971 (P.L.6, NO.2), KNOWN  
8 AS THE TAX REFORM CODE OF 1971.

9 (F) ADDITIONAL GRANT AMOUNT FOR CERTAIN AREAS.--

10 (1) AN ELIGIBLE STUDENT TEACHER WHO COMPLETES REQUIRED  
11 STUDENT TEACHING IN A SCHOOL ENTITY IN AN AREA OF THIS  
12 COMMONWEALTH THAT ATTRACTS FEW STUDENT TEACHERS OR THAT HAS A  
13 HIGH RATE OF OPEN TEACHING POSITIONS SHALL, IN ADDITION TO  
14 THE AMOUNT AWARDED UNDER SUBSECTION (E) (1), RECEIVE A MINIMUM  
15 GRANT AMOUNT OF \$5,000. THE AGENCY, IN CONSULTATION WITH THE  
16 DEPARTMENT, SHALL UTILIZE DATA FROM THE DEPARTMENT TO  
17 DETERMINE THE AREAS IDENTIFIED IN THIS PARAGRAPH.

18 (2) FOR THE PURPOSES OF COMPUTING THE TAX UNDER ARTICLE  
19 III OF THE TAX REFORM CODE OF 1971, THE CLASSES OF INCOME  
20 UNDER SECTION 303 OF THE TAX REFORM CODE OF 1971 SHALL NOT  
21 INCLUDE A PAYMENT RECEIVED BY AN INDIVIDUAL UNDER THIS  
22 ARTICLE.

23 (G) FUNDING.--

24 (1) THE AGENCY SHALL USE MONEY APPROPRIATED FOR THE  
25 PURPOSE OF THE PROGRAM AND MAY ACCEPT FUNDING FROM PUBLIC AND  
26 PRIVATE SOURCES, INCLUDING THE FEDERAL GOVERNMENT, FOR THE  
27 PAYMENT OF GRANTS UNDER THIS SECTION.

28 (2) IF THE AGENCY DETERMINES THAT THE DEMAND FOR THE  
29 PROGRAM EXCEEDS THE AVAILABLE RESOURCES, THE AGENCY MAY  
30 REQUEST ADDITIONAL FUNDING AS PART OF THE AGENCY'S BUDGET



1 REQUEST FOR THE NEXT FISCAL YEAR IN ACCORDANCE WITH SECTION  
2 610 OF THE ACT OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS  
3 THE ADMINISTRATIVE CODE OF 1929.

4 (H) ADDITIONAL DUTIES.--WHEN THE AGENCY AWARDS A GRANT TO A  
5 STUDENT TEACHER UNDER THIS ARTICLE, THE AGENCY SHALL ALSO AWARD  
6 A GRANT PAYMENT TO THE STUDENT TEACHER'S COOPERATING TEACHER.  
7 THE COOPERATING TEACHER SHALL RECEIVE A MINIMUM GRANT OF \$2,500.  
8 THE AGENCY MAY REDUCE THE GRANT AWARD AMOUNT TO A COOPERATING  
9 TEACHER IF THE COOPERATING TEACHER RECEIVES COMPENSATION FROM AN  
10 INSTITUTION OF HIGHER EDUCATION FOR SERVING AS A COOPERATING  
11 TEACHER. AN INSTITUTION OF HIGHER EDUCATION MAY NOT CHARGE A  
12 STUDENT TEACHER WHO RECEIVES A GRANT FOR THE COST OF PAYING A  
13 COOPERATING TEACHER.

14 (I) DISSEMINATION OF INFORMATION.--THE AGENCY SHALL ANNUALLY  
15 PROVIDE INFORMATION ABOUT THE PROGRAM ON THE DEPARTMENT'S  
16 PUBLICLY ACCESSIBLE INTERNET WEBSITE AND TO ALL APPROVED  
17 EDUCATOR PREPARATION PROGRAMS AND PUBLIC AND NONPUBLIC SECONDARY  
18 SCHOOLS. AN APPROVED EDUCATOR PREPARATION PROGRAM SHALL ANNUALLY  
19 DISSEMINATE INFORMATION ABOUT THE PROGRAM, INCLUDING INFORMATION  
20 IDENTIFYING THE SCHOOL ENTITIES THAT QUALIFY THE STUDENT FOR AN  
21 ADDITIONAL GRANT AWARD AMOUNT UNDER SUBSECTION (F).

22 (J) PAYMENT.--THE AGENCY SHALL ESTABLISH A METHOD FOR PAYING  
23 GRANT AWARDS UNDER THE PROGRAM TO A SCHOOL ENTITY OR NONPUBLIC  
24 SCHOOL. THE SCHOOL ENTITY OR NONPUBLIC SCHOOL SHALL USE ALL OF  
25 THE MONEY RECEIVED UNDER THE PROGRAM FOR PAYMENT TO STUDENT  
26 TEACHERS AND COOPERATING TEACHERS AS REQUIRED BY THIS SECTION  
27 AND THE AGENCY.

28 (K) ADMINISTRATIVE FEE.--THE AGENCY MAY TAKE A REASONABLE  
29 ADMINISTRATIVE FEE FOR DIRECT COSTS ASSOCIATED WITH THE  
30 IMPLEMENTATION, ADMINISTRATION AND SERVICING OF THE PROGRAM. THE

1 FEE SHALL BE TAKEN FROM THE FUNDING RECEIVED UNDER SUBSECTION  
2 (G) AND MAY NOT EXCEED 5%.  
3 SECTION 1204-C. ELIGIBILITY.

4 (A) ELIGIBILITY.--FOR AN INDIVIDUAL TO BE ELIGIBLE FOR A  
5 GRANT AS A STUDENT TEACHER UNDER THE PROGRAM, THE INDIVIDUAL  
6 SHALL MEET ALL OF THE FOLLOWING:

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

9 (2) BE CURRENTLY ENROLLED IN AN APPROVED EDUCATOR  
10 PREPARATION PROGRAM.

11 (3) MEET THE MINIMUM GRADE POINT AVERAGE ESTABLISHED  
12 UNDER 22 PA. CODE § 354.24 (RELATING TO ACADEMIC  
13 PERFORMANCE).

14 (4) BE PLACED IN A POSITION AS A STUDENT TEACHER AT A  
15 SCHOOL ENTITY OR NONPUBLIC SCHOOL LOCATED IN THIS  
16 COMMONWEALTH.

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

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

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

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

1 COOPERATING TEACHER.

2 SECTION 1205-C. 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-C(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-C(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-C. 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-C. 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 8. ARTICLE XIII-A HEADING AND SECTIONS 1301-A AND  
16 1302-A OF THE ACT ARE AMENDED TO READ:

17 ARTICLE XIII-A.

18 [SAFE SCHOOLS] STUDENT SUPPORTS.

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

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

24 ["OFFICE" SHALL MEAN THE OFFICE FOR SAFE SCHOOLS WITHIN THE  
25 DEPARTMENT OF EDUCATION.]

26 "SCHOOL ENTITY" SHALL MEAN ANY PUBLIC SCHOOL DISTRICT,  
27 INTERMEDIATE UNIT, AREA CAREER AND TECHNICAL SCHOOL OR CHARTER  
28 SCHOOL.

29 "SCHOOL-BASED DIVERSION PROGRAMS" SHALL MEAN PROGRAMS [THAT,  
30 IN PARTNERSHIP WITH OTHER STAKEHOLDERS, DIVERT YOUTH OUT OF THE

1 JUVENILE JUSTICE SYSTEM.] AND INTERVENTIONS DESIGNED TO REDIRECT  
2 YOUTH WHO COMMIT MINOR OFFENSES IN SCHOOL FROM EXCLUSIONARY  
3 DISCIPLINARY PRACTICES OR FORMAL PROCESSING IN THE JUVENILE  
4 JUSTICE SYSTEM, WHILE STILL HOLDING THE STUDENT ACCOUNTABLE FOR  
5 THE STUDENT'S ACTIONS. THESE PROGRAMS INCLUDE, BUT ARE NOT  
6 LIMITED TO, YOUTH AID PANELS [IN WHICH A PANEL OF COMMUNITY  
7 MEMBERS DECIDE AN APPROPRIATE RESOLUTION TO HOLD THE STUDENT  
8 ACCOUNTABLE FOR THE STUDENT'S ACTIONS BY, AMONG OTHER OPTIONS,  
9 REQUIRING THE STUDENT TO COMPLETE EDUCATIONAL ACTIVITIES,  
10 COMMUNITY SERVICE, RESTITUTION AND ANY OTHER RELATED PROGRAM OR  
11 SERVICE.], POSITIVE YOUTH DEVELOPMENT PROGRAMMING, TEEN/YOUTH  
12 COURTS, RESTORATIVE JUSTICE INTERVENTIONS, TRUANCY PREVENTION  
13 AND INTERVENTION PROGRAMS, MENTORING PROGRAMS AND INTERVENTION  
14 PROGRAMS AND EDUCATIONAL PRACTICES TO ASSIST STUDENTS WITH  
15 PERSISTENT DISRUPTIVE AND SERIOUS PROBLEM BEHAVIORS.

16 "SCHOOL PROPERTY" SHALL MEAN ANY PUBLIC SCHOOL GROUNDS, ANY  
17 SCHOOL-SPONSORED ACTIVITY OR ANY CONVEYANCE PROVIDING  
18 TRANSPORTATION TO A SCHOOL ENTITY OR SCHOOL-SPONSORED ACTIVITY.

19 "SCHOOL-WIDE POSITIVE BEHAVIOR SUPPORT" MEANS A SCHOOL-WIDE,  
20 EVIDENCE-BASED [AND DATA-DRIVEN APPROACH TO IMPROVING SCHOOL  
21 BEHAVIOR THAT SEEKS TO REDUCE UNNECESSARY STUDENT DISCIPLINARY  
22 ACTIONS AND PROMOTE A CLIMATE OF GREATER PRODUCTIVITY, SAFETY  
23 AND LEARNING] TIERED FRAMEWORK FOR SUPPORTING STUDENTS'  
24 BEHAVIORAL, ACADEMIC, SOCIAL, EMOTIONAL AND MENTAL HEALTH.

25 ["STUDENT WITH A DISABILITY" SHALL MEAN A STUDENT WHO MEETS  
26 THE DEFINITION OF "CHILD WITH A DISABILITY" UNDER THE  
27 INDIVIDUALS WITH DISABILITIES EDUCATION ACT (PUBLIC LAW 91-230,  
28 20 U.S.C. § 1400 ET SEQ.) OR WHO MEETS THE DEFINITION OF A  
29 "HANDICAPPED PERSON" UNDER SECTION 504 OF THE REHABILITATION ACT  
30 OF 1973 (PUBLIC LAW 93-112, 29 U.S.C. § 794) AND ITS

1 IMPLEMENTING REGULATIONS (34 C.F.R. § 104.3(J)). THE TERM  
2 INCLUDES A STUDENT FOR WHOM AN EVALUATION IS PENDING UNDER  
3 EITHER THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT OR  
4 REHABILITATION ACT.]

5 "WEAPON" SHALL INCLUDE, BUT NOT BE LIMITED TO, ANY KNIFE,  
6 CUTTING INSTRUMENT, CUTTING TOOL, NUNCHAKU, FIREARM, SHOTGUN,  
7 RIFLE AND ANY OTHER TOOL, INSTRUMENT OR IMPLEMENT CAPABLE OF  
8 INFLECTING SERIOUS BODILY INJURY.

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

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

14 (1) [TO COORDINATE ANTIVIOLENCE EFFORTS BETWEEN SCHOOL,  
15 PROFESSIONAL, PARENTAL, GOVERNMENTAL, LAW ENFORCEMENT AND  
16 COMMUNITY ORGANIZATIONS AND ASSOCIATIONS.]

17 (2) TO COLLECT, DEVELOP AND DISSEMINATE INFORMATION,  
18 POLICIES, STRATEGIES AND OTHER INFORMATION TO ASSIST IN THE  
19 DEVELOPMENT OF PROGRAMS TO IMPACT SCHOOL VIOLENCE.

20 (2.1) TO DIRECT ALL SCHOOL ENTITIES TO SUBMIT ANNUAL SCHOOL  
21 VIOLENCE STATISTICS AND REPORTS TO THE OFFICE NO LATER THAN JULY  
22 31 OF EACH YEAR.

23 (3)] TO COLLECT, DEVELOP AND DISSEMINATE INFORMATION,  
24 POLICIES, STRATEGIES AND OTHER INFORMATION TO ASSIST IN THE  
25 DEVELOPMENT OF PROGRAMS THAT SUPPORT STUDENTS, REDUCE  
26 UNNECESSARY STUDENT DISCIPLINARY ACTIONS AND PROMOTE AN  
27 ENVIRONMENT OF GREATER PRODUCTIVITY, SAFETY AND LEARNING,  
28 INCLUDING, BUT NOT LIMITED TO:

29 (I) SCHOOL-WIDE POSITIVE BEHAVIOR SUPPORT THAT INCLUDES  
30 PRIMARY OR UNIVERSAL, SECONDARY AND TERTIARY SUPPORTS AND

1 INTERVENTIONS IN SCHOOL ENTITIES.

2 (II) SCHOOL-BASED DIVERSION PROGRAMS.

3 (III) CLASSROOM MANAGEMENT.

4 (IV) STUDENT DISCIPLINE.

5 (V) STUDENT CODES OF CONDUCT.

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

8 (VII) CONFLICT RESOLUTION AND DISPUTE MANAGEMENT.

9 (VIII) STAFF TRAINING PROGRAMS IN THE USE OF POSITIVE  
10 BEHAVIOR SUPPORTS, DE-ESCALATION TECHNIQUES, APPROPRIATE  
11 RESPONSES TO STUDENT BEHAVIOR THAT MAY REQUIRE IMMEDIATE  
12 INTERVENTION AND TRAUMA-INFORMED TREATMENT FOR MENTAL HEALTH  
13 PROVIDERS IN SCHOOLS.

14 (IX) RESEARCH-BASED VIOLENCE PREVENTION PROGRAMS THAT  
15 ADDRESS RISK FACTORS TO REDUCE INCIDENTS OF PROBLEM BEHAVIORS  
16 AMONG STUDENTS, INCLUDING, BUT NOT LIMITED TO, MENTAL HEALTH  
17 EARLY INTERVENTION, SELF-CARE, BULLYING AND SUICIDE AWARENESS  
18 AND PREVENTION.

19 (X) RISK ASSESSMENT, SAFETY-RELATED, VIOLENCE PREVENTION  
20 CURRICULA, INCLUDING DATING VIOLENCE CURRICULA, RESTORATIVE  
21 JUSTICE STRATEGIES, MENTAL HEALTH EARLY INTERVENTION, SELF-CARE  
22 AND SUICIDE AWARENESS AND PREVENTION CURRICULA.

23 (XI) EVIDENCE-BASED SCREENINGS FOR ADVERSE CHILDHOOD  
24 EXPERIENCES THAT ARE PROVEN TO BE DETERMINANTS OF PHYSICAL,  
25 SOCIAL AND BEHAVIORAL HEALTH AND PROVIDE TRAUMA-INFORMED  
26 COUNSELING SERVICES AS NECESSARY TO STUDENTS BASED UPON THE  
27 SCREENING RESULTS.

28 (XII) TRAUMA-INFORMED APPROACHES THAT INCREASE STUDENT AND  
29 SCHOOL EMPLOYEE ACCESS TO QUALITY TRAUMA SUPPORT SERVICES AND  
30 BEHAVIORAL HEALTH CARE.



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

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

6       (3) TO [ADVISE] ASSIST IN COLLABORATION AND COORDINATION  
7 WITH THE SCHOOL SAFETY AND SECURITY COMMITTEE ESTABLISHED UNDER  
8 SECTION 1302-B SCHOOL ENTITIES AND NONPUBLIC SCHOOLS ON THE  
9 DEVELOPMENT OF POLICIES TO BE USED REGARDING POSSESSION OF  
10 WEAPONS BY ANY PERSON, ACTS OF VIOLENCE AND PROTOCOLS FOR  
11 COORDINATION WITH AND REPORTING TO LAW ENFORCEMENT OFFICIALS AND  
12 THE DEPARTMENT OF EDUCATION.

13       [(4.1)] (4) TO VERIFY THE EXISTENCE OF CORRECTIVE ACTION  
14 PLANS TO REDUCE INCIDENTS OF VIOLENCE AS REQUIRED IN THE [NO  
15 CHILD LEFT BEHIND ACT OF 2001 (PUBLIC LAW 107-110, 115 STAT.  
16 1425).] EVERY STUDENT SUCCEEDS ACT (PUBLIC LAW 114-95, 129 STAT.  
17 1802).

18       (5) TO DEVELOP IN COLLABORATION AND COORDINATION WITH THE  
19 SCHOOL SAFETY AND SECURITY COMMITTEE ESTABLISHED UNDER SECTION  
20 1302-B FORMS TO BE USED BY SCHOOL ENTITIES AND POLICE  
21 DEPARTMENTS FOR REPORTING INCIDENTS INVOLVING ACTS OF VIOLENCE  
22 AND POSSESSION OF WEAPONS ON SCHOOL PROPERTY. THE FORMS SHALL BE  
23 REVIEWED ON A BIENNIAL BASIS AND REVISED WHEN NECESSARY.

24       [(6) TO VERIFY THAT EACH SCHOOL ENTITY HAS A BIENNIALLY  
25 UPDATED AND REEXECUTED MEMORANDUM OF UNDERSTANDING WITH LOCAL  
26 LAW ENFORCEMENT AND HAS FILED SUCH MEMORANDUM WITH THE OFFICE ON  
27 A BIENNIAL BASIS.

28       (7) TO PUBLISH AND POST ON THE DEPARTMENT OF EDUCATION'S  
29 INTERNET WEBSITE A SCHOOL SAFETY ANNUAL REPORT NO LATER THAN  
30 NOVEMBER 1 OF EACH CALENDAR YEAR OUTLINING ALL INCIDENTS

1 REQUIRED TO BE REPORTED UNDER SECTION 1303-A AND ANY SCHOOL  
2 DISTRICT THAT FAILED TO SUBMIT A REPORT UNDER SECTION 1303-A.

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

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

10 (B.1) THE [OFFICE] DEPARTMENT OF EDUCATION SHALL PROCESS AND  
11 TABULATE THE DATA ON AN ANNUAL BASIS TO ASSIST SCHOOL  
12 ADMINISTRATORS, THE SCHOOL SAFETY AND SECURITY COMMITTEE  
13 ESTABLISHED UNDER SECTION 1302-B AND LAW ENFORCEMENT OFFICIALS  
14 IN THEIR DUTIES UNDER THIS ARTICLE.

15 [(C) IN ADDITION TO THE POWERS AND DUTIES SET FORTH UNDER  
16 SUBSECTION (B), THE OFFICE IS AUTHORIZED TO MAKE TARGETED GRANTS  
17 TO SCHOOL ENTITIES, AND TO INTERMEDIATE UNITS ON BEHALF OF  
18 NONPUBLIC SCHOOLS, TO FUND PROGRAMS WHICH ADDRESS SCHOOL  
19 VIOLENCE, INCLUDING:

20 (1) CONFLICT RESOLUTION OR DISPUTE MANAGEMENT, INCLUDING  
21 RESTORATIVE JUSTICE STRATEGIES.

22 (1.1) SCHOOL-WIDE POSITIVE BEHAVIOR SUPPORT THAT INCLUDES  
23 PRIMARY OR UNIVERSAL, SECONDARY AND TERTIARY SUPPORTS AND  
24 INTERVENTIONS IN SCHOOL ENTITIES.

25 (1.2) SCHOOL-BASED DIVERSION PROGRAMS.

26 (2) PEER HELPERS PROGRAMS.

27 (3) RISK ASSESSMENT, SAFETY-RELATED, VIOLENCE PREVENTION  
28 CURRICULA, INCLUDING, BUT NOT LIMITED TO, DATING VIOLENCE  
29 CURRICULA AND RESTORATIVE JUSTICE STRATEGIES.

30 (4) CLASSROOM MANAGEMENT.

1 (5) STUDENT CODES OF CONDUCT.

2 (6) TRAINING TO UNDERTAKE A DISTRICTWIDE ASSESSMENT OF RISK  
3 FACTORS THAT INCREASE THE LIKELIHOOD OF PROBLEM BEHAVIORS AMONG  
4 STUDENTS.

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

9 (8) COMPREHENSIVE, DISTRICTWIDE SCHOOL SAFETY, VIOLENCE  
10 PREVENTION, EMERGENCY PREPAREDNESS AND ALL-HAZARDS PLANS,  
11 INCLUDING REVISIONS OR UPDATES TO SUCH PLANS AND CONDUCTING  
12 EMERGENCY PREPAREDNESS DRILLS AND RELATED ACTIVITIES WITH LOCAL  
13 EMERGENCY RESPONDERS.

14 (9) SECURITY PLANNING, PURCHASE OF SECURITY-RELATED  
15 TECHNOLOGY WHICH MAY INCLUDE METAL DETECTORS, PROTECTIVE  
16 LIGHTING, SURVEILLANCE EQUIPMENT, SPECIAL EMERGENCY  
17 COMMUNICATIONS EQUIPMENT, ELECTRONIC LOCKSETS, DEADBOLTS AND  
18 THEFT CONTROL DEVICES AND TRAINING IN THE USE OF SECURITY-  
19 RELATED TECHNOLOGY. SECURITY PLANNING AND PURCHASE OF SECURITY-  
20 RELATED TECHNOLOGY SHALL BE BASED ON SAFETY NEEDS IDENTIFIED BY  
21 THE SCHOOL ENTITY'S BOARD OF DIRECTORS.

22 (10) INSTITUTION OF STUDENT, STAFF AND VISITOR  
23 IDENTIFICATION SYSTEMS, INCLUDING CRIMINAL BACKGROUND CHECK  
24 SOFTWARE.

25 (12) PROVISION OF SPECIALIZED STAFF AND STUDENT TRAINING  
26 PROGRAMS, INCLUDING TRAINING FOR STUDENT ASSISTANCE PROGRAM TEAM  
27 MEMBERS IN ELEMENTARY, MIDDLE AND HIGH SCHOOLS IN THE REFERRAL  
28 OF STUDENTS AT RISK OF VIOLENT BEHAVIOR TO APPROPRIATE  
29 COMMUNITY-BASED SERVICES, INCLUDING MENTAL HEALTH SERVICES.

30 (13) ALTERNATIVE EDUCATION PROGRAMS PROVIDED FOR IN ARTICLE

1 XIX-C.

2 (14) COUNSELING SERVICES FOR STUDENTS ENROLLED IN  
3 ALTERNATIVE EDUCATION PROGRAMS.

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

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

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

10 (C.1) (1) IN ADDITION TO THE POWERS AND DUTIES SET FORTH  
11 UNDER SUBSECTIONS (B) AND (C), THE OFFICE IS AUTHORIZED TO MAKE  
12 TARGETED GRANTS TO SCHOOL ENTITIES, MUNICIPALITIES, LOCAL LAW  
13 ENFORCEMENT AGENCIES AND APPROVED VENDORS TO FUND PROGRAMS WHICH  
14 ADDRESS SCHOOL VIOLENCE BY ESTABLISHING OR ENHANCING SCHOOL  
15 SECURITY, INCLUDING COSTS ASSOCIATED WITH THE TRAINING AND  
16 COMPENSATION OF SCHOOL RESOURCE OFFICERS AND SCHOOL POLICE  
17 OFFICERS. MUNICIPALITIES OR LOCAL LAW ENFORCEMENT AGENCIES THAT  
18 RECEIVE GRANTS UNDER THIS SUBSECTION SHALL, WITH THE PRIOR  
19 CONSENT OF THE GOVERNING BOARD OF THE SCHOOL ENTITY OR NONPUBLIC  
20 SCHOOL, ASSIGN SCHOOL RESOURCE OFFICERS TO CARRY OUT THEIR  
21 OFFICIAL DUTIES ON THE PREMISES OF THE SCHOOL ENTITY OR  
22 NONPUBLIC SCHOOL.

23 (2) MUNICIPALITIES OR LOCAL LAW ENFORCEMENT AGENCIES MAY NOT  
24 RECEIVE GRANT FUNDS UNDER THIS SUBSECTION FOR ANY PURPOSE OTHER  
25 THAN FOR COSTS ASSOCIATED WITH SCHOOL RESOURCE OFFICERS AND ARE  
26 NOT ELIGIBLE FOR OTHER GRANTS PROVIDED TO SCHOOL ENTITIES UNDER  
27 THIS SECTION. IN ASSIGNING SCHOOL RESOURCE OFFICERS PURSUANT TO  
28 THIS SUBSECTION, MUNICIPALITIES SHALL TAKE INTO CONSIDERATION  
29 THE PROPORTION OF STUDENTS ENROLLED IN EACH SCHOOL ENTITY OR  
30 NONPUBLIC SCHOOL.

1 (3) NONPUBLIC SCHOOLS ARE AUTHORIZED TO APPLY TO THE OFFICE  
2 FOR GRANT FUNDING UNDER PARAGRAPH (1) TO BE USED FOR THE COSTS  
3 ASSOCIATED WITH OBTAINING THE SERVICES OF A SCHOOL POLICE  
4 OFFICER FROM A LIST OF APPROVED VENDORS CERTIFIED BY THE OFFICE.  
5 GRANT AWARDS FOR THIS PURPOSE SHALL BE AWARDED AND PAID DIRECTLY  
6 TO THE APPROVED VENDOR WITH WHICH THE NONPUBLIC SCHOOL CONTRACTS  
7 FOR SERVICES. NONPUBLIC SCHOOLS MAY NOT APPLY FOR GRANT FUNDING  
8 UNDER THIS SECTION FOR ANY PURPOSE OTHER THAN OBTAINING THE  
9 SERVICES OF A SCHOOL POLICE OFFICER UNDER THIS PARAGRAPH.

10 (D) THE OFFICE SHALL HAVE THE FOLLOWING DUTIES AS TO  
11 TARGETED GRANTS:

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

17 (I) THE PURPOSE FOR WHICH THE TARGETED GRANT SHALL BE  
18 UTILIZED;

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

21 (III) AN ESTIMATED BUDGET;

22 (IV) METHODS FOR MEASURING OUTCOMES; AND

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

24 (2) THE OFFICE SHALL:

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

28 (II) GIVE PRIORITY IN GRANT FUNDING UNDER SUBSECTION (C) TO  
29 SCHOOL ENTITIES WITH THE GREATEST NEED TO ESTABLISH SAFETY AND  
30 ORDER.

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

4 (IV) FOR SCHOOL ENTITIES, MUNICIPALITIES, LOCAL LAW  
5 ENFORCEMENT AGENCIES AND NONPUBLIC SCHOOLS THAT APPLY FOR  
6 FUNDING FOR THE TRAINING AND COMPENSATION OF SCHOOL RESOURCE  
7 OFFICERS AND SCHOOL POLICE OFFICERS UNDER SUBSECTION (C.1), GIVE  
8 PRIORITY TO SCHOOL ENTITIES, MUNICIPALITIES, LOCAL LAW  
9 ENFORCEMENT AGENCIES AND NONPUBLIC SCHOOLS THAT UTILIZE SCHOOL  
10 RESOURCE OFFICERS OR SCHOOL POLICE OFFICERS WHO HAVE COMPLETED  
11 ADDITIONAL TRAINING RECOMMENDED BY THE DEPARTMENT OF EDUCATION  
12 RELATING TO INTERACTION WITH ALL CHILDREN AND ADOLESCENTS WITHIN  
13 A SCHOOL SETTING.

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

18 (A) ARE RETIRED FEDERAL AGENTS OR RETIRED STATE, MUNICIPAL  
19 OR MILITARY POLICE OFFICERS.

20 (B) ARE INDEPENDENT CONTRACTORS OF THE SCHOOL ENTITY OR  
21 NONPUBLIC SCHOOL.

22 (C) ARE COMPENSATED ON AN HOURLY BASIS AND RECEIVE NO OTHER  
23 COMPENSATION OR FRINGE BENEFITS FROM THE SCHOOL ENTITY OR  
24 NONPUBLIC SCHOOL.

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

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

30 (F) IN THE CASE OF A SCHOOL ENTITY, HAVE BEEN INDEMNIFIED BY

1 THE SCHOOL ENTITY PURSUANT TO 42 PA.C.S. § 8548 (RELATING TO  
2 INDEMNITY).

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

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

10 (3) THE OFFICE SHALL PROVIDE ALL TARGETED GRANT AGREEMENTS  
11 TO THE DEPARTMENT OF EDUCATION'S COMPTROLLER FOR REVIEW AND  
12 APPROVAL PRIOR TO AWARDING THE GRANT. THE SCHOOL ENTITY,  
13 MUNICIPALITY, LOCAL LAW ENFORCEMENT AGENCY OR APPROVED VENDOR  
14 SHALL PROVIDE THE OFFICE WITH FULL AND COMPLETE ACCESS TO ALL  
15 RECORDS RELATING TO THE PERFORMANCE OF THE GRANT, AND SHALL  
16 SUBMIT, AT SUCH TIME AND IN SUCH FORM AS MAY BE PRESCRIBED,  
17 TRUTHFUL AND ACCURATE INFORMATION THAT THE OFFICE MAY REQUIRE.  
18 THE OFFICE SHALL CONDUCT A THOROUGH ANNUAL EVALUATION OF EACH  
19 PROGRAM FOR WHICH A GRANT UNDER THIS SECTION IS MADE. THE OFFICE  
20 SHALL SEEK REPAYMENT OF FUNDS IF IT DETERMINES THAT FUNDS WERE  
21 NOT UTILIZED FOR THE ORIGINAL STATED PURPOSE.

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

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

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

30 (E.1) ANY GRANT FUNDING ALLOCATED UNDER SUBSECTION (C.1)

1 ABOVE THE AMOUNT ALLOCATED IN FISCAL YEAR 2017-2018 MAY BE  
2 PRIORITIZED FOR NONPUBLIC SCHOOLS.

3 (E.2) BEGINNING IN FISCAL YEAR 2019-2020, GRANTS AWARDED  
4 UNDER SUBSECTION (C.1) SHALL NOT EXCEED THE AMOUNT AWARDED IN  
5 FISCAL YEAR 2018-2019 UNDER THAT SUBSECTION AND NO LESS THAN  
6 \$3,200,000 SHALL BE AWARDED TO INTERMEDIATE UNITS ON BEHALF OF  
7 NONPUBLIC SCHOOLS UNDER SUBSECTION (C).

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

10 SECTION 9. SECTIONS 1302.1-A AND 1303-A OF THE ACT ARE  
11 REPEALED:

12 [SECTION 1302.1-A. REGULATIONS.--(A) WITHIN ONE YEAR OF THE  
13 EFFECTIVE DATE OF THIS SECTION, THE STATE BOARD OF EDUCATION  
14 SHALL PROMULGATE FINAL-OMITTED REGULATIONS PURSUANT TO THE ACT  
15 OF JUNE 25, 1982 (P.L.633, NO.181), KNOWN AS THE "REGULATORY  
16 REVIEW ACT," NECESSARY TO IMPLEMENT THIS ARTICLE. THE  
17 REGULATIONS SHALL INCLUDE THE FOLLOWING:

18 (1) A MODEL MEMORANDUM OF UNDERSTANDING BETWEEN SCHOOL  
19 ENTITIES AND LOCAL POLICE DEPARTMENTS. THE MODEL MEMORANDUM OF  
20 UNDERSTANDING SHALL BE REVIEWED ON A BIENNIAL BASIS AND REVISED  
21 WHERE NECESSARY. THE STATE BOARD OF EDUCATION MAY REVISE THE  
22 MODEL MEMORANDUM OF UNDERSTANDING BY PUBLISHING A NOTICE IN THE  
23 PENNSYLVANIA BULLETIN THAT CONTAINS THE COMPLETE REVISED MODEL  
24 MEMORANDUM OF UNDERSTANDING. THE REVISED MODEL MEMORANDUM OF  
25 UNDERSTANDING SHALL BE INCORPORATED INTO THE PENNSYLVANIA CODE  
26 IN PLACE OF THE EXISTING MODEL MEMORANDUM OF UNDERSTANDING.

27 (2) PROTOCOL FOR THE NOTIFICATION OF THE POLICE DEPARTMENT  
28 WHEN AN OFFENSE LISTED UNDER SECTION 1303-A(B) (4.1) OCCURS ON  
29 SCHOOL PROPERTY, WHICH SHALL INCLUDE A REQUIREMENT THAT THE  
30 LOCAL POLICE DEPARTMENT BE NOTIFIED IMMEDIATELY WHEN SUCH AN



1 OFFENSE OCCURS.

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

6 (4) PROTOCOL FOR EMERGENCY AND NONEMERGENCY RESPONSE BY THE  
7 POLICE DEPARTMENT, WHICH SHALL INCLUDE A REQUIREMENT THAT THE  
8 SCHOOL DISTRICT SHALL SUPPLY THE POLICE DEPARTMENT WITH A COPY  
9 OF THE COMPREHENSIVE DISASTER RESPONSE AND EMERGENCY  
10 PREPAREDNESS PLAN AS REQUIRED BY 35 PA.C.S. § 7701(G) (RELATING  
11 TO DUTIES CONCERNING DISASTER PREVENTION).

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

17 (B) (1) IN PROMULGATING THE REGULATIONS REQUIRED UNDER  
18 SUBSECTION (A), THE STATE BOARD OF EDUCATION SHALL CONVENE AND  
19 CONSULT WITH A STATEWIDE ADVISORY COMMITTEE WHICH SHALL INCLUDE  
20 A POLICE CHIEF, JUVENILE PUBLIC DEFENDER, SCHOOL SUPERINTENDENT,  
21 SCHOOL PRINCIPAL, DISTRICT ATTORNEY, SOLICITOR OF A SCHOOL  
22 DISTRICT, SPECIAL EDUCATION SUPERVISOR, SPECIAL EDUCATION  
23 ADVOCATE AND IN-SCHOOL PROBATION OFFICER AND ONE DESIGNEE FROM  
24 THE DEPARTMENT OF EDUCATION, THE PENNSYLVANIA COMMISSION ON  
25 CRIME AND DELINQUENCY, THE MUNICIPAL POLICE OFFICERS' EDUCATION  
26 AND TRAINING COMMISSION, THE JUVENILE COURT JUDGES' COMMISSION  
27 AND THE PENNSYLVANIA STATE POLICE.

28 (2) MEMBERS OF THE COMMITTEE SHALL BE SELECTED TO BE  
29 REPRESENTATIVE OF THE RURAL, SUBURBAN AND URBAN SCHOOL ENTITIES  
30 OF THIS COMMONWEALTH.

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

5 SECTION 1303-A. REPORTING.-- (A) THE OFFICE SHALL CONDUCT A  
6 ONE-TIME SURVEY OF ALL SCHOOL ENTITIES TO DETERMINE THE NUMBER  
7 OF INCIDENTS INVOLVING ACTS OF VIOLENCE ON SCHOOL PROPERTY AND  
8 ALL CASES INVOLVING POSSESSION OF A WEAPON BY ANY PERSON ON  
9 SCHOOL PROPERTY WHICH OCCURRED WITHIN THE LAST FIVE (5) YEARS.  
10 THE SURVEY SHALL BE BASED ON THE BEST AVAILABLE INFORMATION  
11 PROVIDED BY SCHOOL ENTITIES.

12 (B) EACH CHIEF SCHOOL ADMINISTRATOR SHALL REPORT TO THE  
13 OFFICE BY JULY 31 OF EACH YEAR ALL NEW INCIDENTS INVOLVING ACTS  
14 OF VIOLENCE, POSSESSION OF A WEAPON OR POSSESSION, USE OR SALE  
15 OF CONTROLLED SUBSTANCES AS DEFINED IN THE ACT OF APRIL 14, 1972  
16 (P.L.233, NO.64), KNOWN AS "THE CONTROLLED SUBSTANCE, DRUG,  
17 DEVICE AND COSMETIC ACT," OR POSSESSION, USE OR SALE OF ALCOHOL  
18 OR TOBACCO BY ANY PERSON ON SCHOOL PROPERTY. THE INCIDENTS TO BE  
19 REPORTED TO THE OFFICE SHALL INCLUDE ALL INCIDENTS INVOLVING  
20 CONDUCT THAT CONSTITUTES A CRIMINAL OFFENSE LISTED UNDER  
21 PARAGRAPHS (4.1) AND (4.2). REPORTS ON A FORM TO BE DEVELOPED  
22 AND PROVIDED BY THE OFFICE SHALL INCLUDE:

23 (1) AGE OR GRADE OF STUDENT.

24 (2) NAME AND ADDRESS OF SCHOOL.

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

30 (3.1) RACE OF STUDENT.

1 (3.2) WHETHER THE STUDENT HAS AN INDIVIDUALIZED EDUCATION  
2 PLAN UNDER THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT  
3 (PUBLIC LAW 91-230, 20 U.S.C. § 1400 ET SEQ.), AND IF SO, THE  
4 TYPE OF DISABILITY.

5 (4) SANCTION IMPOSED BY THE SCHOOL.

6 (4.1) A LIST OF CRIMINAL OFFENSES WHICH SHALL, AT A MINIMUM,  
7 INCLUDE:

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

10 SECTION 908 (RELATING TO PROHIBITED OFFENSIVE WEAPONS).

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

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

22 SECTION 3124.1 (RELATING TO SEXUAL ASSAULT).

23 SECTION 3124.2 (RELATING TO INSTITUTIONAL SEXUAL ASSAULT).

24 SECTION 3125 (RELATING TO AGGRAVATED INDECENT ASSAULT).

25 SECTION 3126 (RELATING TO INDECENT ASSAULT).

26 SECTION 3301 (RELATING TO ARSON AND RELATED OFFENSES).

27 SECTION 3307 (RELATING TO INSTITUTIONAL VANDALISM) WHEN THE  
28 PENALTY IS A FELONY OF THE THIRD DEGREE.

29 SECTION 3502 (RELATING TO BURGLARY).

30 SECTION 3503(A) AND (B) (1) (V) (RELATING TO CRIMINAL

1 TRESPASS) .

2 SECTION 5501 (RELATING TO RIOT) .

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

4 (II) THE POSSESSION, USE OR SALE OF A CONTROLLED SUBSTANCE

5 OR DRUG PARAPHERNALIA AS DEFINED IN "THE CONTROLLED SUBSTANCE,

6 DRUG, DEVICE AND COSMETIC ACT."

7 (III) ATTEMPTS, SOLICITATION OR CONSPIRACY TO COMMIT ANY OF

8 THE OFFENSES LISTED IN SUBCLAUSES (I) AND (II) .

9 (IV) AN OFFENSE FOR WHICH REGISTRATION IS REQUIRED UNDER 42

10 PA.C.S. § 9795.1 (RELATING TO REGISTRATION) .

11 (4.2) THE FOLLOWING OFFENSES UNDER 18 PA.C.S., AND ANY

12 ATTEMPT, SOLICITATION OR CONSPIRACY TO COMMIT ANY OF THESE

13 OFFENSES:

14 SECTION 2701 (RELATING TO SIMPLE ASSAULT) .

15 SECTION 2705 (RELATING TO RECKLESSLY ENDANGERING ANOTHER

16 PERSON) .

17 SECTION 2706 (RELATING TO TERRORISTIC THREATS) .

18 SECTION 2709 (RELATING TO HARASSMENT) .

19 SECTION 3127 (RELATING TO INDECENT EXPOSURE) .

20 SECTION 3307 (RELATING TO INSTITUTIONAL VANDALISM) WHEN THE

21 PENALTY IS A MISDEMEANOR OF THE SECOND DEGREE .

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

23 (RELATING TO CRIMINAL TRESPASS) .

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

25 SECTION 5502 (RELATING TO FAILURE OF DISORDERLY PERSONS TO

26 DISPERSE UPON OFFICIAL ORDER) .

27 SECTION 5503 (RELATING TO DISORDERLY CONDUCT) .

28 SECTION 6305 (RELATING TO SALE OF TOBACCO) .

29 SECTION 6306.1 (RELATING TO USE OF TOBACCO IN SCHOOLS

30 PROHIBITED) .

1 SECTION 6308 (RELATING TO PURCHASE, CONSUMPTION, POSSESSION  
2 OR TRANSPORTATION OF LIQUOR OR MALT OR BREWED BEVERAGES).

3 (5) NOTIFICATION OF LAW ENFORCEMENT.

4 (6) REMEDIAL PROGRAMS INVOLVED.

5 (7) PARENTAL INVOLVEMENT REQUIRED.

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

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

11 (1) NO LATER THAN THIRTY (30) DAYS PRIOR TO THE DEADLINE FOR  
12 SUBMITTING THE REPORT TO THE OFFICE REQUIRED UNDER SUBSECTION  
13 (B), THE CHIEF SCHOOL ADMINISTRATOR SHALL SUBMIT THE REPORT TO  
14 THE POLICE DEPARTMENT WITH JURISDICTION OVER THE RELEVANT SCHOOL  
15 PROPERTY. THE POLICE DEPARTMENT SHALL REVIEW THE REPORT AND  
16 COMPARE THE DATA REGARDING CRIMINAL OFFENSES AND NOTIFICATION OF  
17 LAW ENFORCEMENT TO DETERMINE WHETHER THE REPORT ACCURATELY  
18 REFLECTS POLICE INCIDENT DATA.

19 (2) NO LATER THAN FIFTEEN (15) DAYS PRIOR TO THE DEADLINE  
20 FOR THE CHIEF SCHOOL ADMINISTRATOR TO SUBMIT THE REPORT REQUIRED  
21 UNDER SUBSECTION (B), THE POLICE DEPARTMENT SHALL NOTIFY THE  
22 CHIEF SCHOOL ADMINISTRATOR, IN WRITING, WHETHER THE REPORT  
23 ACCURATELY REFLECTS POLICE INCIDENT DATA. WHERE THE POLICE  
24 DEPARTMENT DETERMINES THAT THE REPORT ACCURATELY REFLECTS POLICE  
25 INCIDENT DATA, THE CHIEF OF POLICE SHALL SIGN THE REPORT. WHERE  
26 THE POLICE DEPARTMENT DETERMINES THAT THE REPORT DOES NOT  
27 ACCURATELY REFLECT POLICE INCIDENT DATA, THE POLICE DEPARTMENT  
28 SHALL INDICATE ANY DISCREPANCIES BETWEEN THE REPORT AND POLICE  
29 INCIDENT DATA.

30 (3) PRIOR TO SUBMITTING THE REPORT REQUIRED UNDER SUBSECTION

1 (B), THE CHIEF SCHOOL ADMINISTRATOR AND THE POLICE DEPARTMENT  
2 SHALL ATTEMPT TO RESOLVE DISCREPANCIES BETWEEN THE REPORT AND  
3 POLICE INCIDENT DATA. WHERE A DISCREPANCY REMAINS UNRESOLVED,  
4 THE POLICE DEPARTMENT SHALL NOTIFY THE CHIEF SCHOOL  
5 ADMINISTRATOR AND THE OFFICE IN WRITING.

6 (4) WHERE A POLICE DEPARTMENT FAILS TO TAKE ACTION AS  
7 REQUIRED UNDER PARAGRAPH (2) OR (3), THE CHIEF SCHOOL  
8 ADMINISTRATOR SHALL SUBMIT THE REPORT REQUIRED UNDER SUBSECTION  
9 (B) AND INDICATE THAT THE POLICE DEPARTMENT FAILED TO TAKE  
10 ACTION AS REQUIRED UNDER PARAGRAPH (2) OR (3).

11 (C) EACH CHIEF SCHOOL ADMINISTRATOR SHALL FORM AN ADVISORY  
12 COMMITTEE COMPOSED OF RELEVANT SCHOOL STAFF, INCLUDING, BUT NOT  
13 LIMITED TO, PRINCIPALS, SECURITY PERSONNEL, SCHOOL RESOURCE  
14 OFFICERS, GUIDANCE COUNSELORS AND SPECIAL EDUCATION  
15 ADMINISTRATORS, TO ASSIST IN THE DEVELOPMENT OF A MEMORANDUM OF  
16 UNDERSTANDING PURSUANT TO THIS SECTION. IN CONSULTATION WITH THE  
17 ADVISORY COMMITTEE, EACH CHIEF SCHOOL ADMINISTRATOR SHALL ENTER  
18 INTO A MEMORANDUM OF UNDERSTANDING WITH POLICE DEPARTMENTS  
19 HAVING JURISDICTION OVER SCHOOL PROPERTY OF THE SCHOOL ENTITY.  
20 EACH CHIEF SCHOOL ADMINISTRATOR SHALL SUBMIT A COPY OF THE  
21 MEMORANDUM OF UNDERSTANDING TO THE OFFICE BY JUNE 30, 2011, AND  
22 BIENNIALLY UPDATE AND RE-EXECUTE A MEMORANDUM OF UNDERSTANDING  
23 WITH LOCAL LAW ENFORCEMENT AND FILE SUCH MEMORANDUM WITH THE  
24 OFFICE ON A BIENNIAL BASIS. THE MEMORANDUM OF UNDERSTANDING  
25 SHALL BE SIGNED BY THE CHIEF SCHOOL ADMINISTRATOR, THE CHIEF OF  
26 POLICE OF THE POLICE DEPARTMENT WITH JURISDICTION OVER THE  
27 RELEVANT SCHOOL PROPERTY AND PRINCIPALS OF EACH SCHOOL BUILDING  
28 OF THE SCHOOL ENTITY. THE MEMORANDUM OF UNDERSTANDING SHALL  
29 COMPLY WITH THE REGULATIONS PROMULGATED BY THE STATE BOARD OF  
30 EDUCATION UNDER SECTION 1302.1-A AND SHALL ALSO INCLUDE:

1 (1) THE PROCEDURE FOR POLICE DEPARTMENT REVIEW OF THE ANNUAL  
2 REPORT REQUIRED UNDER SUBSECTION (B) PRIOR TO THE CHIEF SCHOOL  
3 ADMINISTRATOR FILING THE REPORT REQUIRED UNDER SUBSECTION (B)  
4 WITH THE OFFICE.

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

8 (3) ADDITIONAL MATTERS PERTAINING TO CRIME PREVENTION AGREED  
9 TO BETWEEN THE CHIEF SCHOOL ADMINISTRATOR AND THE POLICE  
10 DEPARTMENT.

11 (D) PURSUANT TO SECTION 615 OF THE INDIVIDUALS WITH  
12 DISABILITIES EDUCATION ACT (PUBLIC LAW 91-230, 20 U.S.C. §  
13 1415(K)(6)), NOTHING IN SECTION 1302.1-A OR THIS SECTION SHALL  
14 BE CONSTRUED TO PROHIBIT A SCHOOL ENTITY FROM REPORTING A CRIME  
15 COMMITTED BY A CHILD WITH A DISABILITY TO APPROPRIATE  
16 AUTHORITIES OR TO PREVENT STATE LAW ENFORCEMENT AND JUDICIAL  
17 AUTHORITIES FROM EXERCISING THEIR RESPONSIBILITIES WITH REGARD  
18 TO THE APPLICATION OF FEDERAL AND STATE LAW TO CRIMES COMMITTED  
19 BY A CHILD WITH A DISABILITY.

20 (E) (1) NOTWITHSTANDING ANY PROVISION OF LAW TO THE  
21 CONTRARY, THE DEPARTMENT OF EDUCATION MAY INITIATE DISCIPLINARY  
22 ACTION BEFORE THE PROFESSIONAL STANDARDS AND PRACTICES  
23 COMMISSION PURSUANT TO THE ACT OF DECEMBER 12, 1973 (P.L.397,  
24 NO.141), KNOWN AS THE "PROFESSIONAL EDUCATOR DISCIPLINE ACT,"  
25 AGAINST A CHIEF SCHOOL ADMINISTRATOR OR PRINCIPAL OF A SCHOOL  
26 ENTITY WHO INTENTIONALLY FAILS TO SUBMIT THE REPORT AS REQUIRED  
27 UNDER SUBSECTION (B) OR ENTER INTO THE MEMORANDUM OF  
28 UNDERSTANDING WITH THE POLICE DEPARTMENT WITH JURISDICTION OVER  
29 THE RELEVANT SCHOOL PROPERTY, REPORT AN INCIDENT INVOLVING AN  
30 ACT OF VIOLENCE, POSSESSION OF A WEAPON OR AN OFFENSE LISTED

1 UNDER SUBSECTION (B) (4.1) THAT OCCURS ON SCHOOL PROPERTY TO A  
2 POLICE DEPARTMENT OR SUBMIT A COPY OF THE MEMORANDUM OF  
3 UNDERSTANDING TO THE OFFICE AS REQUIRED UNDER SUBSECTION (C) OR  
4 WHO INTENTIONALLY FALSIFIES A REPORT SUBMITTED AS REQUIRED UNDER  
5 THIS SECTION.

6 (2) IN ADDITION TO ANY OTHER DISCIPLINARY ACTIONS SET FORTH  
7 IN THE "PROFESSIONAL EDUCATOR DISCIPLINE ACT," A CHIEF SCHOOL  
8 ADMINISTRATOR OR PRINCIPAL OF A SCHOOL ENTITY WHO INTENTIONALLY  
9 FAILS TO SUBMIT THE REPORT AS REQUIRED UNDER SUBSECTION (B) OR  
10 ENTER INTO THE MEMORANDUM OF UNDERSTANDING WITH THE POLICE  
11 DEPARTMENT WITH JURISDICTION OVER THE RELEVANT SCHOOL PROPERTY,  
12 REPORT AN INCIDENT INVOLVING AN ACT OF VIOLENCE, POSSESSION OF A  
13 WEAPON OR AN OFFENSE CITED UNDER SUBSECTION (B) (4.1) THAT OCCURS  
14 ON SCHOOL PROPERTY TO A POLICE DEPARTMENT OR SUBMIT A COPY OF  
15 THE MEMORANDUM OF UNDERSTANDING TO THE OFFICE AS REQUIRED UNDER  
16 SUBSECTION (C) OR WHO INTENTIONALLY FALSIFIES A REPORT SUBMITTED  
17 AS REQUIRED UNDER THIS SECTION SHALL BE SUBJECT TO PROSECUTION  
18 FOR VIOLATION OF 18 PA.C.S. § 4904 (RELATING TO UNSWORN  
19 FALSIFICATION TO AUTHORITIES). THE FOLLOWING CIVIL PENALTIES MAY  
20 BE IMPOSED BY THE PROFESSIONAL STANDARDS AND PRACTICES  
21 COMMISSION FOR VIOLATIONS OF THIS ARTICLE:

- 22 (I) FOR A FIRST VIOLATION, \$2,500;
- 23 (II) FOR A SECOND VIOLATION, \$3,500; OR
- 24 (III) FOR A THIRD OR SUBSEQUENT VIOLATION, \$5,000.

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

27 SECTION 10. SECTIONS 1303.1-A(C) AND (D) AND 1307-A OF THE  
28 ACT ARE AMENDED TO READ:

29 SECTION 1303.1-A. POLICY RELATING TO BULLYING.--\* \* \*

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



1 (3) YEARS AND ANNUALLY PROVIDE THE [OFFICE] DEPARTMENT OF  
2 EDUCATION WITH A COPY OF ITS POLICY RELATING TO BULLYING,  
3 INCLUDING INFORMATION RELATED TO THE DEVELOPMENT AND  
4 IMPLEMENTATION OF ANY BULLYING PREVENTION, INTERVENTION AND  
5 EDUCATION PROGRAMS. THE INFORMATION REQUIRED UNDER THIS  
6 SUBSECTION SHALL BE ATTACHED TO OR MADE PART OF THE ANNUAL  
7 REPORT REQUIRED UNDER SECTION [1303-A(B)] 1319-B(B).

8 (D) IN ITS POLICY RELATING TO BULLYING ADOPTED OR MAINTAINED  
9 UNDER SUBSECTION (A), A SCHOOL ENTITY SHALL NOT BE PROHIBITED  
10 FROM DEFINING BULLYING IN SUCH A WAY AS TO ENCOMPASS ACTS THAT  
11 OCCUR OUTSIDE A SCHOOL SETTING IF THOSE ACTS MEET THE  
12 REQUIREMENTS CONTAINED IN SUBSECTION (E) (1), (3) AND (4). IF A  
13 SCHOOL ENTITY REPORTS ACTS OF BULLYING TO THE [OFFICE]  
14 DEPARTMENT OF EDUCATION IN ACCORDANCE WITH SECTION [1303-A(B)]  
15 1319-B(B), IT SHALL REPORT ALL INCIDENTS THAT QUALIFY AS  
16 BULLYING UNDER THE ENTITY'S ADOPTED DEFINITION OF THAT TERM.

17 \* \* \*

18 SECTION 1307-A. MAINTENANCE OF RECORDS.--ALL SCHOOL ENTITIES  
19 AND PRIVATE SCHOOLS WITHIN THIS COMMONWEALTH SHALL MAINTAIN  
20 UPDATED RECORDS OF ALL INCIDENTS OF VIOLENCE, INCIDENTS  
21 INVOLVING POSSESSION OF A WEAPON AND CONVICTIONS OR  
22 ADJUDICATIONS OF DELINQUENCY FOR ACTS COMMITTED ON SCHOOL  
23 PROPERTY BY STUDENTS ENROLLED THEREIN ON BOTH A DISTRICT-WIDE  
24 AND SCHOOL-BY-SCHOOL BASIS. RECORDS MAINTAINED UNDER THIS  
25 SECTION SHALL BE CONTAINED IN A FORMAT DEVELOPED BY THE  
26 PENNSYLVANIA STATE POLICE IN COOPERATION WITH THE [OFFICE WITHIN  
27 NINETY (90) DAYS OF THE EFFECTIVE DATE OF THIS SECTION]  
28 DEPARTMENT OF EDUCATION. A STATISTICAL SUMMARY OF THESE RECORDS  
29 SHALL BE MADE ACCESSIBLE TO THE PUBLIC FOR EXAMINATION BY THE  
30 PUBLIC DURING REGULAR BUSINESS HOURS.

1 SECTION 11. SECTIONS 1310-A, 1311-A, 1312-A AND 1313-A OF  
2 THE ACT ARE REPEALED:

3 [SECTION 1310-A. SAFE SCHOOLS ADVOCATE IN SCHOOL DISTRICTS  
4 OF THE FIRST CLASS.-- (A) THE EXECUTIVE DIRECTOR OF THE  
5 PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY SHALL  
6 ESTABLISH, WITHIN THE COMMISSION, A SAFE SCHOOLS ADVOCATE FOR  
7 EACH SCHOOL DISTRICT OF THE FIRST CLASS. THE ADVOCATE SHALL NOT  
8 BE SUBJECT TO THE ACT OF AUGUST 5, 1941 (P.L.752, NO.286), KNOWN  
9 AS THE "CIVIL SERVICE ACT." THE ADVOCATE SHALL ESTABLISH AND  
10 MAINTAIN AN OFFICE WITHIN THE SCHOOL DISTRICT.

11 (B) THE SAFE SCHOOLS ADVOCATE SHALL HAVE THE POWER AND ITS  
12 DUTIES SHALL BE:

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

15 (I) THE SCHOOL DISTRICT'S REPORTING TO THE OFFICE OF  
16 INCIDENTS INVOLVING ACTS OF VIOLENCE, POSSESSION OF A WEAPON OR  
17 POSSESSION, USE OR SALE OF CONTROLLED SUBSTANCES AS DEFINED IN  
18 THE ACT OF APRIL 14, 1972 (P.L.233, NO.64), KNOWN AS "THE  
19 CONTROLLED SUBSTANCE, DRUG, DEVICE AND COSMETIC ACT," OR  
20 POSSESSION, USE OR SALE OF ALCOHOL OR TOBACCO BY ANY PERSON ON  
21 SCHOOL PROPERTY;

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

24 (III) THE SCHOOL DISTRICT'S COMPLIANCE WITH THE PROCEDURES  
25 SET FORTH IN THE MEMORANDUM OF UNDERSTANDING WITH THE  
26 APPROPRIATE POLICE DEPARTMENT REGARDING INCIDENTS INVOLVING ACTS  
27 OF VIOLENCE AND POSSESSION OF WEAPONS; AND

28 (IV) OBTAINING DOCUMENTATION, ON A WEEKLY BASIS DURING THOSE  
29 TIMES WHEN SCHOOL IS IN SESSION, OF ALL WRITTEN OR VERBAL  
30 CONTACTS BY SCHOOL DISTRICT PERSONNEL WITH THE APPROPRIATE

1 POLICE DEPARTMENT CONSISTENT WITH THE REQUIREMENTS OF THE  
2 MEMORANDUM OF UNDERSTANDING.

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

5 (3) TO RECEIVE INQUIRIES FROM SCHOOL STAFF AND PARENTS OR  
6 GUARDIANS OF STUDENTS WHO ARE VICTIMS OF ACTS OF VIOLENCE ON  
7 SCHOOL PROPERTY.

8 (4) TO ESTABLISH A PROTOCOL, IN CONSULTATION WITH THE  
9 JUVENILE COURT JUDGES' COMMISSION, TO ASSURE TIMELY RECEIPT BY  
10 THE SCHOOL DISTRICT OF INFORMATION REGARDING STUDENTS WHO HAVE  
11 BEEN ADJUDICATED DELINQUENT PURSUANT TO 42 PA.C.S. § 6341(B.1)  
12 (RELATING TO ADJUDICATION) AND TO MONITOR THE SCHOOL DISTRICT'S  
13 USE OF THAT INFORMATION TO ENSURE THAT VICTIMS OF ACTS OF  
14 VIOLENCE BY A STUDENT ARE PROTECTED.

15 (5) TO ESTABLISH A PROGRAM TO ASSURE EXTENSIVE AND  
16 CONTINUING PUBLIC AWARENESS OF INFORMATION REGARDING THE ROLE OF  
17 THE ADVOCATE ON BEHALF OF VICTIMS OF ACTS OF VIOLENCE ON SCHOOL  
18 PROPERTY, WHICH MAY INCLUDE THE MAILING OF INFORMATION TO THE  
19 PARENTS OR GUARDIANS OF STUDENTS IN THE SCHOOL DISTRICT OR OTHER  
20 FORMS OF COMMUNICATION.

21 (6) TO REVIEW AND ANALYZE FEDERAL AND STATE STATUTES WHICH  
22 MAY BE AN IMPEDIMENT TO SCHOOL SAFETY AND THE IMPOSITION OF  
23 DISCIPLINE FOR THE COMMISSION OF ACTS OF VIOLENCE ON SCHOOL  
24 PROPERTY AND TO PREPARE, BY APRIL 30, 2001, AND AS NECESSARY  
25 FROM TIME TO TIME THEREAFTER, REPORTS MAKING RECOMMENDATIONS FOR  
26 CHANGES TO THE STATUTES WHICH WOULD PROMOTE SCHOOL SAFETY AND  
27 FACILITATE EFFECTIVE AND EXPEDIENT DISCIPLINARY ACTION. THE  
28 REPORTS SHALL BE SUBMITTED TO THE SECRETARY AND THE EXECUTIVE  
29 DIRECTOR OF THE PENNSYLVANIA COMMISSION ON CRIME AND  
30 DELINQUENCY.

1 (7) TO REVIEW AND ANALYZE COURT DECISIONS APPLICABLE TO THE  
2 SCHOOL DISTRICT'S DISCIPLINARY PROCESS AND PROCEDURES, TO MAKE  
3 RECOMMENDATIONS TO THE SCHOOL DISTRICT REGARDING ANY NEGATIVE  
4 IMPACT THESE DECISIONS HAVE UPON THE EFFECTIVE MAINTENANCE OF  
5 SCHOOL SAFETY AND TO MAKE RECOMMENDATIONS RELATING TO THE  
6 EXISTING PROVISIONS OF CONSENT DECREES.

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

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

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

24 (1) PROVIDE ASSISTANCE AND ADVICE, INCLUDING INFORMATION ON  
25 SUPPORT SERVICES PROVIDED BY VICTIM ASSISTANCE OFFICES OF THE  
26 APPROPRIATE DISTRICT ATTORNEY AND THROUGH LOCAL COMMUNITY-BASED  
27 VICTIM SERVICE AGENCIES;

28 (2) PROVIDE INFORMATION TO THE PARENT OR GUARDIAN OF THE  
29 STUDENT VICTIM REGARDING THE DISCIPLINARY PROCESS AND ANY ACTION  
30 ULTIMATELY TAKEN AGAINST THE STUDENT ACCUSED OF COMMITTING THE

1 ACT OF VIOLENCE;

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

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

8 (5) WITH THE CONSENT OF THE PARENT OR GUARDIAN OF THE  
9 VICTIM, PRESENT INFORMATION IN THE DISCIPLINARY PROCEEDING,  
10 WHICH MAY INCLUDE ORAL OR WRITTEN PRESENTATIONS, INCLUDING  
11 TESTIMONY BY THE VICTIM OR THE PARENT OR GUARDIAN OF THE VICTIM,  
12 REGARDING THE IMPACT ON THE VICTIM AND THE VICTIM'S FAMILY AND  
13 THE APPROPRIATE DISCIPLINARY ACTION AND WHICH MAY INCLUDE DIRECT  
14 OR CROSS-EXAMINATION OF WITNESSES;

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

21 (7) IN CASES WHERE THE DISTRICT HAS FAILED TO REPORT THE ACT  
22 OF VIOLENCE TO THE APPROPRIATE POLICE DEPARTMENT AS REQUIRED BY  
23 THE MEMORANDUM OF UNDERSTANDING, TO REPORT SUCH ACT OF VIOLENCE  
24 DIRECTLY; AND

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

28 (D) UPON DISCOVERY OF THE COMMISSION OF AN ACT OF VIOLENCE  
29 UPON A STUDENT, THE SCHOOL DISTRICT OF THE FIRST CLASS SHALL  
30 IMMEDIATELY NOTIFY THE VICTIM'S PARENT OR GUARDIAN OF THE SAFE

1 SCHOOLS ADVOCATE. THE FORM OF THIS NOTICE SHALL BE DEVELOPED BY  
2 THE ADVOCATE AND PROVIDED TO THE SCHOOL DISTRICT. THIS FORM  
3 SHALL INCLUDE THE ADDRESS AND TELEPHONE NUMBER OF THE ADVOCATE  
4 AND A BRIEF DESCRIPTION OF THE PURPOSES AND FUNCTIONS OF THE  
5 SAFE SCHOOLS ADVOCATE. THE PRINCIPAL OF EACH SCHOOL WITHIN THE  
6 SCHOOL DISTRICT SHALL POST A NOTICE NOT LESS THAN 8 1/2 BY 11  
7 INCHES ENTITLED "SAFE SCHOOLS ADVOCATE" AT A PROMINENT LOCATION  
8 WITHIN EACH SCHOOL BUILDING, WHERE SUCH NOTICES ARE USUALLY  
9 POSTED. THE FORM OF THIS NOTICE SHALL ALSO BE DEVELOPED BY THE  
10 ADVOCATE AND PROVIDED TO THE SCHOOL DISTRICT.

11 (E) IT SHALL BE THE DUTY OF EACH SCHOOL ADMINISTRATOR IN A  
12 SCHOOL DISTRICT OF THE FIRST CLASS TO COOPERATE WITH THE SAFE  
13 SCHOOLS ADVOCATE TO IMPLEMENT THIS SECTION AND TO PROVIDE THE  
14 ADVOCATE, UPON REQUEST, WITH ALL AVAILABLE INFORMATION  
15 AUTHORIZED BY STATE LAW. IN REGARD TO INDIVIDUAL CASES OF ACTS  
16 OF VIOLENCE, ONLY INFORMATION PERMITTED TO BE SHARED UNDER  
17 SUBSECTION (F) SHALL BE DISCLOSED.

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

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

27 (H) AS USED IN THIS SECTION:

28 "ACT OF VIOLENCE" SHALL MEAN THE POSSESSION OF A WEAPON ON  
29 SCHOOL PROPERTY OR AN OFFENSE, INCLUDING THE ATTEMPT,  
30 SOLICITATION OR CONSPIRACY TO COMMIT THE OFFENSE, UNDER ANY OF

1 THE FOLLOWING PROVISIONS OF 18 PA.C.S. (RELATING TO CRIMES AND  
2 OFFENSES) :

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

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

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

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

7 (5) SECTION 3123 (RELATING TO INVOLUNTARY DEVIATE SEXUAL  
8 INTERCOURSE) .

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

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

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

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

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

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

15 "SCHOOL DISTRICT" SHALL MEAN SCHOOL DISTRICT OF THE FIRST  
16 CLASS .

17 (I) AT LEAST EIGHTY PER CENTUM (80%) OF ALL APPROPRIATIONS  
18 FOR THE OFFICE OF SAFE SCHOOLS ADVOCATE IN FISCAL YEAR 2006-2007  
19 SHALL BE EXPENDED BY JUNE 30, 2007, AND THE REMAINING BALANCE OF  
20 THE APPROPRIATION SHALL BE COMMITTED OR ENCUMBERED BY JUNE 30,  
21 2007 .

22 SECTION 1311-A. STANDING.-- (A) IF A STUDENT IN A SCHOOL  
23 DISTRICT OF THE FIRST CLASS IS A VICTIM OF AN ACT OF VIOLENCE  
24 INVOLVING A WEAPON ON SCHOOL PROPERTY AND THE STUDENT WHO  
25 POSSESSED THE WEAPON WAS NOT EXPELLED UNDER SECTION 1317.2, THE  
26 PARENT OR GUARDIAN OF THE VICTIM SHALL HAVE STANDING TO  
27 INSTITUTE A LEGAL PROCEEDING TO OBTAIN EXPULSION OF THE STUDENT .

28 (B) THE OFFICE OF GENERAL COUNSEL SHALL HAVE STANDING TO  
29 BRING AN ACTION ON BEHALF OF A VICTIM OR THE PARENT OR GUARDIAN  
30 OF A VICTIM OF AN ACT OF VIOLENCE IN A SCHOOL IN A SCHOOL

1 DISTRICT OF THE FIRST CLASS TO MODIFY, CLARIFY OR ELIMINATE A  
2 CONSENT DECREE THAT IS RELATED TO DISCIPLINE IN THE DISTRICT IF,  
3 IN CONSULTATION WITH THE ADVOCATE, THE OFFICE OF GENERAL COUNSEL  
4 BELIEVES THAT THE ACTION IS IN THE BEST INTERESTS OF THE  
5 STUDENTS OF THE SCHOOL DISTRICT.

6 (C) (1) THE EXECUTIVE DIRECTOR OF THE PENNSYLVANIA  
7 COMMISSION ON CRIME AND DELINQUENCY IN CONSULTATION WITH THE  
8 GENERAL COUNSEL MAY DESIGNATE A PORTION OF THE FUNDS PROVIDED  
9 FOR THE SAFE SCHOOLS ADVOCATE:

10 (I) FOR CONTRACTS FOR LEGAL SERVICES TO ASSIST LOW-INCOME  
11 PARENTS OR GUARDIANS OF VICTIMS TO OBTAIN LEGAL SERVICES FOR  
12 PROCEEDINGS UNDER SUBSECTION (A) .

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

15 (2) THE DESIGNATION OF ATTORNEYS TO RECEIVE FUNDS UNDER THIS  
16 SUBSECTION SHALL BE WITHIN THE DISCRETION OF THE OFFICE OF  
17 GENERAL COUNSEL AFTER CONSULTATION WITH THE SAFE SCHOOLS  
18 ADVOCATE.

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

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

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

28 SECTION 1312-A. ENFORCEMENT.--(A) (1) IF THE SCHOOL  
29 DISTRICT OF THE FIRST CLASS FAILS TO COMPLY WITH REQUIREMENTS TO  
30 PROVIDE INFORMATION TO THE SAFE SCHOOLS ADVOCATE UNDER SECTION



1 1310-A, THE ADVOCATE SHALL PROVIDE DOCUMENTATION OF THE FAILURE  
2 TO THE SECRETARY OF EDUCATION AND THE PENNSYLVANIA COMMISSION ON  
3 CRIME AND DELINQUENCY.

4 (2) IF THE SECRETARY DETERMINES THAT THERE IS  
5 NONCOMPLIANCE, THE SECRETARY SHALL NOTIFY THE ADVOCATE AND THE  
6 OFFICE OF GENERAL COUNSEL. THE OFFICE OF GENERAL COUNSEL, IN  
7 CONSULTATION WITH THE SAFE SCHOOLS ADVOCATE, SHALL DESIGNATE AN  
8 ATTORNEY TO BRING AN ACTION IN A COURT OF COMPETENT JURISDICTION  
9 TO ENFORCE SECTION 1310-A.

10 (3) IF THE SECRETARY DETERMINES THAT THE SCHOOL DISTRICT OF  
11 THE FIRST CLASS HAS COMPLIED WITH THE REQUIREMENTS TO PROVIDE  
12 INFORMATION TO THE SAFE SCHOOLS ADVOCATE UNDER SECTION 1310-A,  
13 THE SECRETARY SHALL CONVENE A PUBLIC HEARING AT WHICH THE SAFE  
14 SCHOOLS ADVOCATE SHALL BE PERMITTED TO TESTIFY REGARDING THE  
15 ALLEGED NONCOMPLIANCE.

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

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

25 SECTION 12. SECTION 1301-B OF THE ACT IS AMENDED BY ADDING  
26 DEFINITIONS TO READ:

27 SECTION 1301-B. DEFINITIONS.

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

1 "CHIEF SCHOOL ADMINISTRATOR." THE SUPERINTENDENT OF A PUBLIC  
2 SCHOOL DISTRICT, SUPERINTENDENT OF AN AREA CAREER AND TECHNICAL  
3 SCHOOL, EXECUTIVE DIRECTOR OF AN INTERMEDIATE UNIT OR CHIEF  
4 EXECUTIVE OFFICER OF A CHARTER SCHOOL.

5 \* \* \*

6 "DEPARTMENT." THE DEPARTMENT OF EDUCATION OF THE  
7 COMMONWEALTH.

8 \* \* \*

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

10 \* \* \*

11 "STUDENT WITH A DISABILITY." A STUDENT WHO MEETS THE  
12 DEFINITION OF "CHILD WITH A DISABILITY" UNDER 20 U.S.C. CH. 33  
13 (RELATING TO EDUCATION OF INDIVIDUALS WITH DISABILITIES) OR WHO  
14 MEETS THE DEFINITION OF A "HANDICAPPED PERSON" UNDER 29 U.S.C. §  
15 794 (RELATING TO NONDISCRIMINATION UNDER FEDERAL GRANTS AND  
16 PROGRAMS) AND ITS IMPLEMENTING REGULATIONS (34 CFR 104.3(J)).  
17 THE TERM INCLUDES A STUDENT FOR WHOM AN EVALUATION IS PENDING  
18 UNDER EITHER 20 U.S.C. CH. 33 OR 29 U.S.C. CH. 16 (RELATING TO  
19 VOCATIONAL REHABILITATION AND OTHER REHABILITATIVE SERVICES).

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

24 SECTION 13. SECTION 1302-B(E) OF THE ACT, AMENDED JULY 8,  
25 2022 (P.L.620, NO.55), IS AMENDED, SUBSECTION (B) (12) IS AMENDED  
26 BY ADDING A SUBPARAGRAPH AND THE SECTION IS AMENDED BY ADDING A  
27 SUBSECTION TO READ:

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

29 \* \* \*

30 (B) COMPOSITION.--THE COMMITTEE SHALL CONSIST OF A

1 CHAIRPERSON AND THE FOLLOWING MEMBERS:

2 \* \* \*

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

4 \* \* \*

5 (XI) THE HOMELAND SECURITY DIRECTOR OF THE OFFICE OF  
6 HOMELAND SECURITY UNDER 4 PA. CODE CH. 6 SUBCH. LL  
7 (RELATING TO OFFICE OF HOMELAND SECURITY), WHO SHALL BE A  
8 NONVOTING MEMBER.

9 \* \* \*

10 (E) TERM.--MEMBERS APPOINTED UNDER SUBSECTION (B) (5), (6),  
11 (7), (8), (11) AND (12) SHALL SERVE FOR A FOUR-YEAR TERM AND MAY  
12 BE APPOINTED FOR NO MORE THAN ONE ADDITIONAL CONSECUTIVE TERM.  
13 THE TERMS OF THOSE MEMBERS WHO SERVE BY VIRTUE OF THE PUBLIC  
14 OFFICE THEY HOLD SHALL BE CONCURRENT WITH THEIR SERVICE IN THE  
15 OFFICE FROM WHICH THEY DERIVE THEIR MEMBERSHIP.

16 \* \* \*

17 (J) EXECUTIVE COMMITTEE.--

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

22 (I) DATA ON ISSUES AND INCIDENTS REPORTED THROUGH  
23 THE SAFE2SAY PROGRAM;

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

26 (III) IDENTIFICATION, PREVENTION AND MITIGATION OF  
27 POTENTIAL THREATS OF TARGETED VIOLENCE IN EDUCATIONAL  
28 SETTINGS;

29 (IV) UTILIZATION OF BEST PRACTICES AMONG SCHOOL  
30 ENTITIES RELATED TO THREAT ASSESSMENT, BYSTANDER

1 INTERVENTION AND REPORTING, CRISIS INTERVENTION AND  
2 EMERGENCY PREPAREDNESS AND RESPONSE; AND

3 (V) OTHER INCIDENTS AND ISSUES IMPACTING SCHOOL  
4 SAFETY IN THIS COMMONWEALTH.

5 (2) THE EXECUTIVE COMMITTEE SHALL PROVIDE GUIDANCE AND  
6 RECOMMENDATIONS FOR CONSIDERATION BY THE COMMITTEE. ANY  
7 ACTION RELATING TO GUIDANCE OR RECOMMENDATIONS PROVIDED BY  
8 THE EXECUTIVE COMMITTEE TO THE COMMITTEE SHALL REQUIRE A VOTE  
9 OF A MAJORITY OF THE MEMBERS OF THE COMMITTEE. ANY DECISIONS  
10 RELATING TO AWARDING OF GRANTS UNDER THIS ARTICLE SHALL BE  
11 THE SOLE AND EXCLUSIVE RESPONSIBILITY OF THE COMMITTEE.

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

15 (4) (I) EXCEPT AS PROVIDED UNDER SUBPARAGRAPH (II),  
16 MEETINGS OF THE EXECUTIVE COMMITTEE SHALL NOT BE SUBJECT  
17 TO THE REQUIREMENTS OF 65 PA.C.S. CH. 7 (RELATING TO OPEN  
18 MEETINGS).

19 (II) PUBLIC NOTICE OF A MEETING OF THE EXECUTIVE  
20 COMMITTEE SHALL BE PROVIDED AS REQUIRED UNDER 65 PA.C.S.  
21 § 709(A) (RELATING TO PUBLIC NOTICE). THE PUBLIC NOTICE  
22 UNDER THIS SUBPARAGRAPH SHALL INCLUDE THE AGENDA OF THE  
23 TOPICS THE EXECUTIVE COMMITTEE WILL DISCUSS.

24 (III) AT THE NEXT SCHEDULED MEETING OF THE  
25 COMMITTEE, THE CHAIR OF THE EXECUTIVE COMMITTEE SHALL  
26 PROVIDE A SUMMARY OF ANY MEETINGS OF THE EXECUTIVE  
27 COMMITTEE THAT OCCURRED SINCE THE LAST MEETING OF THE  
28 COMMITTEE.

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

1           (6) THE EXECUTIVE COMMITTEE MAY ADD OTHER MEMBERS OF THE  
2           COMMITTEE AS NECESSARY.

3           SECTION 14. THE ACT IS AMENDED BY ADDING A SECTION TO READ:  
4           SECTION 1302.1-B. DUTIES OF COMMITTEE.

5           THE COMMITTEE SHALL ADVANCE PRACTICES TO IMPROVE THE SAFETY  
6           AND SECURITY OF SCHOOL ENTITIES WITHIN THIS COMMONWEALTH,  
7           INCLUDING DEVELOPING POLICIES AND PROVIDING RESOURCES, TRAINING,  
8           GUIDANCE AND ASSISTANCE TO SCHOOLS AND THEIR PARTNERS. IN  
9           ADDITION TO OTHER DUTIES GIVEN TO THE COMMITTEE UNDER THIS  
10          ARTICLE, THE COMMITTEE SHALL HAVE THE FOLLOWING POWERS AND  
11          DUTIES:

12           (1) TO ESTABLISH, PERIODICALLY REVIEW AND, IF NECESSARY,  
13           UPDATE BASELINE CRITERIA FOR PHYSICAL SECURITY AND BEHAVIORAL  
14           HEALTH IN COORDINATION WITH THE DEPARTMENT FOR SCHOOL  
15           ENTITIES IN THIS COMMONWEALTH.

16           (2) TO COORDINATE ANTIVIOLENCE AND SCHOOL SAFETY EFFORTS  
17           BETWEEN SCHOOL, PROFESSIONAL, PARENTAL, GOVERNMENTAL, LAW  
18           ENFORCEMENT AND COMMUNITY ORGANIZATIONS AND ASSOCIATIONS.

19           (3) TO COLLECT, DEVELOP AND DISSEMINATE INFORMATION,  
20           POLICIES, STRATEGIES AND OTHER INFORMATION TO ASSIST IN THE  
21           DEVELOPMENT OF PROGRAMS TO IMPACT SCHOOL AND COMMUNITY  
22           VIOLENCE AND OTHER SCHOOL-SAFETY-RELATED ISSUES.

23           (4) TO PROVIDE TRAINING TO SCHOOL EMPLOYEES, SCHOOL  
24           SAFETY AND SECURITY COORDINATORS AND COMMUNITIES ON EFFECTIVE  
25           MEASURES TO PREVENT AND COMBAT SCHOOL AND COMMUNITY VIOLENCE  
26           AS WELL AS SCHOOL SAFETY AND SECURITY TRAINING UNDER SECTION  
27           1310-B AND COORDINATOR TRAINING UNDER SECTION 1316-B.

28           (5) IN COLLABORATION AND COORDINATION WITH THE  
29           DEPARTMENT, TO ASSIST SCHOOL ENTITIES AND NONPUBLIC SCHOOLS  
30           ON THE DEVELOPMENT OF POLICIES TO ENHANCE SAFETY AND

1 SECURITY, INCLUDING POLICIES ADDRESSING POSSESSION OF  
2 WEAPONS, ACTS OF VIOLENCE, PROTOCOLS FOR COORDINATION WITH  
3 LAW ENFORCEMENT OFFICIALS AND REPORTING UNDER SECTION 1319-B.

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

8 (7) IN COLLABORATION AND COORDINATION WITH THE  
9 DEPARTMENT, TO PUBLISH AND POST ON THE COMMISSION'S PUBLICLY  
10 ACCESSIBLE INTERNET WEBSITE A SCHOOL SAFETY ANNUAL REPORT NO  
11 LATER THAN NOVEMBER 1 OF EACH CALENDAR YEAR OUTLINING ALL  
12 INCIDENTS REQUIRED TO BE REPORTED UNDER SECTION 1319-B AND  
13 SCHOOL ENTITIES THAT FAILED TO SUBMIT A REPORT UNDER SECTION  
14 1319-B.

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

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

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

25 (11) TO REQUEST DATA RELATED TO SCHOOL SAFETY AND  
26 SECURITY COLLECTED BY THE DEPARTMENT TO FULFILL THE DUTIES OF  
27 THE COMMITTEE. THE DEPARTMENT SHALL PROVIDE REQUESTED DATA NO  
28 LATER THAN 10 DAYS AFTER THE REQUEST IS MADE.

29 SECTION 15. SECTION 1306-B(I) (1), (J) (4) AND (12), (K) AND  
30 (L) OF THE ACT, AMENDED JULY 8, 2022 (P.L.620, NO.55), ARE

1 AMENDED, SUBSECTION (H) IS AMENDED BY ADDING PARAGRAPHS AND THE  
2 SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:  
3 SECTION 1306-B. SCHOOL SAFETY AND SECURITY GRANT PROGRAM.

4 \* \* \*

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

6 \* \* \*

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

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

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

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

23 (II) FIVE PERCENT SHALL BE TRANSFERRED TO THE  
24 DEPARTMENT FOR TRAINING OF SCHOOL BASED MENTAL HEALTH  
25 PROFESSIONALS AND TO ESTABLISH PATHWAYS TO CERTIFICATION  
26 FOR SCHOOL BASED MENTAL HEALTH PROFESSIONALS.

27 (III) FIVE PERCENT SHALL BE TRANSFERRED TO THE  
28 PENNSYLVANIA HIGHER EDUCATION ASSISTANCE AGENCY FOR THE  
29 PROGRAM UNDER SECTION 1318-B.

30 (I) COMMUNITY VIOLENCE PREVENTION PROGRAMS.--

1           (1) [MUNICIPALITIES] NOTWITHSTANDING SUBSECTION (H) (7),  
2 THE COMMITTEE SHALL USE MONEY APPROPRIATED TO THE COMMISSION  
3 FOR VIOLENCE INTERVENTION AND PREVENTION FOR GRANTS AND  
4 TECHNICAL ASSISTANCE TO MUNICIPALITIES, DISTRICT ATTORNEYS,  
5 INSTITUTIONS OF HIGHER EDUCATION, COMMUNITY-BASED  
6 ORGANIZATIONS AND OTHER ENTITIES APPROVED BY THE COMMITTEE  
7 [ARE THE ONLY ELIGIBLE APPLICANTS] FOR PROGRAMS UNDER  
8 SUBSECTION (J) (22) .

9           \* \* \*

10          (J) SPECIFIC PURPOSES.--THE COMMITTEE SHALL PROVIDE GRANTS  
11 TO SCHOOL ENTITIES FOR PROGRAMS THAT ADDRESS SCHOOL MENTAL  
12 HEALTH AND SAFETY AND SECURITY, INCLUDING:

13          \* \* \*

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

18          \* \* \*

19          (12) SECURITY PLANNING AND PURCHASE OF SECURITY-RELATED  
20 TECHNOLOGY, WHICH MAY INCLUDE METAL DETECTORS, PROTECTIVE  
21 LIGHTING, SPECIALTY TRAINED CANINES, SURVEILLANCE EQUIPMENT,  
22 SPECIAL EMERGENCY COMMUNICATIONS EQUIPMENT, AUTOMATED  
23 EXTERNAL DEFIBRILLATORS, ELECTRONIC LOCKSETS, DEADBOLTS,  
24 TRAUMA KITS AND THEFT CONTROL DEVICES AND TRAINING IN THE USE  
25 OF SECURITY-RELATED TECHNOLOGY. [SECURITY PLANNING AND  
26 PURCHASE OF SECURITY-RELATED TECHNOLOGY SHALL BE BASED ON  
27 SAFETY NEEDS IDENTIFIED BY THE SCHOOL ENTITY'S BOARD OF  
28 SCHOOL DIRECTORS.]

29          \* \* \*

30          (K) COORDINATION OF GRANT DISTRIBUTION.--THE [DEPARTMENT]



1 COMMITTEE SHALL COORDINATE THE DISTRIBUTION OF GRANTS UNDER  
2 [ARTICLE XIII-A WITH THE COMMITTEE] SECTION 1306.1-B TO ENSURE  
3 THE MOST EFFECTIVE USE OF RESOURCES.

4 (L) AUDITS.--

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

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

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

15 SECTION 16. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:  
16 SECTION 1306.1-B. TARGETED SCHOOL SAFETY GRANTS FOR NONPUBLIC  
17 SCHOOLS AND SCHOOL ENTITIES PROGRAM.

18 (A) REESTABLISHMENT.--THE TARGETED SCHOOL SAFETY GRANTS FOR  
19 NONPUBLIC SCHOOLS AND SCHOOL ENTITIES PROGRAM IS REESTABLISHED  
20 IN THE COMMITTEE TO MAKE NONPUBLIC SCHOOLS AND SCHOOL ENTITIES  
21 WITHIN THIS COMMONWEALTH SAFER PLACES.

22 (B) CONTINUATION.--THE TARGETED GRANTS ISSUED IN FISCAL YEAR  
23 2022-2023 AND IN ANY PREVIOUS FISCAL YEAR TO SCHOOL ENTITIES AND  
24 TO INTERMEDIATE UNITS ON BEHALF OF NONPUBLIC SCHOOLS THROUGH THE  
25 DEPARTMENT UNDER ARTICLE XIII-A SHALL CONTINUE TO BE  
26 ADMINISTERED BY THE DEPARTMENT. TARGETED GRANTS FOR FISCAL YEAR  
27 2023-2024 AND EACH YEAR THEREAFTER SHALL BE AWARDED AND  
28 ADMINISTERED BY THE COMMITTEE.

29 (C) FUNCTIONS GENERALLY.--THE COMMITTEE SHALL PERFORM ALL  
30 FUNCTIONS RELATED TO THE DIRECT APPROVAL, DISBURSEMENT AND

1 ADMINISTRATION OF GRANTS UNDER THE PROGRAM.

2 (D) DIVERSITY.--THE COMMITTEE SHALL ENSURE THAT GRANT  
3 FUNDING UNDER THE PROGRAM IS GEOGRAPHICALLY DISPERSED THROUGHOUT  
4 THIS COMMONWEALTH.

5 (E) SUPPLEMENT AND NOT SUPPLANT.--

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

9 (2) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO  
10 PRECLUDE A NONPUBLIC SCHOOL ENTITY FROM MAKING AN APPLICATION  
11 IN A SUBSEQUENT YEAR FOR THE SAME PURPOSE AND AMOUNT AWARDED  
12 IN A PRIOR YEAR.

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

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

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

27 (I) (RESERVED).

28 (J) USES.--TARGETED GRANTS TO SCHOOL ENTITIES AND TO  
29 INTERMEDIATE UNITS ON BEHALF OF NONPUBLIC SCHOOLS SHALL BE USED  
30 TO FUND PROGRAMS THAT ADDRESS SCHOOL VIOLENCE AND SCHOOL MENTAL

1 HEALTH. ELIGIBLE USES OF THE FUNDS SHALL INCLUDE ANY USE UNDER  
2 SECTION 1306-B(J) AND TO FUND PROGRAMS THAT ADDRESS SCHOOL  
3 VIOLENCE BY ESTABLISHING OR ENHANCING SCHOOL SECURITY, INCLUDING  
4 COSTS ASSOCIATED WITH THE TRAINING AND COMPENSATION OF SCHOOL  
5 SECURITY PERSONNEL.

6 (K) OTHER GRANT RECIPIENTS.--

7 (1) THE COMMITTEE MAY AWARD TARGETED GRANTS TO  
8 MUNICIPALITIES, LAW ENFORCEMENT AGENCIES AND APPROVED VENDORS  
9 TO FUND PROGRAMS THAT ADDRESS SCHOOL VIOLENCE BY ESTABLISHING  
10 OR ENHANCING SCHOOL SECURITY, INCLUDING COSTS ASSOCIATED WITH  
11 THE TRAINING AND COMPENSATION OF SCHOOL SECURITY PERSONNEL.

12 (2) A MUNICIPALITY OR LAW ENFORCEMENT AGENCY THAT  
13 RECEIVES GRANTS UNDER THIS SUBSECTION SHALL, WITH THE PRIOR  
14 CONSENT OF THE GOVERNING BOARD OF THE SCHOOL ENTITY OR  
15 NONPUBLIC SCHOOL, ASSIGN SCHOOL RESOURCE OFFICERS TO CARRY  
16 OUT THEIR OFFICIAL DUTIES ON THE PREMISES OF THE SCHOOL  
17 ENTITY OR NONPUBLIC SCHOOL. A MUNICIPALITY OR LAW ENFORCEMENT  
18 AGENCY MAY NOT RECEIVE GRANT MONEY UNDER THIS SUBSECTION FOR  
19 ANY PURPOSE OTHER THAN FOR COSTS ASSOCIATED WITH SCHOOL  
20 RESOURCE OFFICERS AND ARE NOT ELIGIBLE FOR OTHER GRANTS  
21 PROVIDED TO SCHOOL ENTITIES UNDER THIS SECTION. IN ASSIGNING  
22 SCHOOL RESOURCE OFFICERS UNDER THIS SUBSECTION, A  
23 MUNICIPALITY SHALL TAKE INTO CONSIDERATION THE PROPORTION OF  
24 STUDENTS ENROLLED IN EACH SCHOOL ENTITY OR NONPUBLIC SCHOOL.

25 (3) A NONPUBLIC SCHOOL MAY APPLY TO THE COMMITTEE FOR  
26 GRANT FUNDING UNDER PARAGRAPH (1) TO BE USED FOR THE COSTS  
27 ASSOCIATED WITH OBTAINING THE SERVICES OF SCHOOL SECURITY  
28 PERSONNEL FROM A LIST OF APPROVED VENDORS CERTIFIED BY THE  
29 COMMITTEE. A GRANT AWARD FOR THIS PURPOSE SHALL BE AWARDED  
30 AND PAID DIRECTLY TO THE APPROVED VENDOR WITH WHICH THE

1 NONPUBLIC SCHOOL CONTRACTS FOR SERVICES. A NONPUBLIC SCHOOL  
2 MAY NOT APPLY FOR GRANT FUNDING UNDER THIS SUBSECTION FOR ANY  
3 PURPOSE OTHER THAN OBTAINING THE SERVICES OF SCHOOL SECURITY  
4 PERSONNEL UNDER THIS PARAGRAPH.

5 (K.1) ADMINISTRATIVE FEE.--AN INTERMEDIATE UNIT MAY TAKE A  
6 REASONABLE ADMINISTRATIVE FEE FOR DIRECT COSTS ASSOCIATED WITH  
7 THE ADMINISTRATION OF A GRANT AWARD ON BEHALF OF A NONPUBLIC  
8 SCHOOL. THE FEE SHALL BE TAKEN FROM THE MONEY RECEIVED UNDER  
9 SUBSECTION (J) AND MAY NOT EXCEED 6% 2%. <--

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

12 (1) TARGETED GRANTS SHALL BE ALLOCATED THROUGH A  
13 COMPETITIVE GRANT REVIEW PROCESS ESTABLISHED BY THE  
14 COMMITTEE. A SCHOOL ENTITY MUST SATISFY THE REQUIREMENTS OF  
15 THIS SECTION. THE APPLICATION FOR A TARGETED GRANT SHALL  
16 INCLUDE:

17 (I) THE PURPOSE FOR WHICH THE TARGETED GRANT WILL BE  
18 UTILIZED;

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

22 (III) AN ESTIMATED BUDGET;

23 (IV) METHODS FOR MEASURING OUTCOMES; AND

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

25 (2) THE COMMITTEE SHALL:

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

30 (II) GIVE PRIORITY IN GRANT FUNDING UNDER SUBSECTION

1 (J) TO SCHOOL ENTITIES WITH THE GREATEST NEED RELATED TO  
2 SAFETY AND ORDER.

3 (III) FOR MUNICIPALITIES, LOCAL LAW ENFORCEMENT  
4 AGENCIES AND NONPUBLIC SCHOOLS THAT APPLY FOR FUNDING FOR  
5 THE TRAINING AND COMPENSATION OF SCHOOL SECURITY  
6 PERSONNEL UNDER SUBSECTION (J) OR (K), GIVE PRIORITY TO  
7 MUNICIPALITIES, LOCAL LAW ENFORCEMENT AGENCIES AND  
8 NONPUBLIC SCHOOLS THAT UTILIZE SCHOOL SECURITY PERSONNEL  
9 WHO HAVE COMPLETED THE TRAINING AND QUALIFICATIONS  
10 REQUIRED UNDER ARTICLE XIII-C.

11 (IV) FOR SCHOOL ENTITIES OR NONPUBLIC SCHOOLS THAT  
12 APPLY FOR FUNDING FOR SCHOOL POLICE OFFICERS UNDER  
13 SUBSECTION (J) OR (K), GIVE PRIORITY TO SCHOOL ENTITIES  
14 AND NONPUBLIC SCHOOLS THAT UTILIZE SCHOOL POLICE OFFICERS  
15 WHO SATISFY ALL OF THE FOLLOWING:

16 (A) ARE RETIRED FEDERAL AGENTS OR RETIRED STATE,  
17 MUNICIPAL OR MILITARY POLICE OFFICERS.

18 (B) ARE INDEPENDENT CONTRACTORS OF THE SCHOOL  
19 ENTITY OR NONPUBLIC SCHOOL.

20 (C) ARE COMPENSATED ON AN HOURLY BASIS AND  
21 RECEIVE NO OTHER COMPENSATION OR FRINGE BENEFITS FROM  
22 THE SCHOOL ENTITY OR NONPUBLIC SCHOOL.

23 (D) HAVE COMPLETED ANNUAL TRAINING AS REQUIRED  
24 BY THE MUNICIPAL POLICE OFFICERS' EDUCATION AND  
25 TRAINING COMMISSION UNDER 53 PA.C.S. CH. 21 SUBCH. D  
26 (RELATING TO MUNICIPAL POLICE EDUCATION AND  
27 TRAINING).

28 (E) THE REQUIREMENTS OF SECTION 111.

29 (F) IN THE CASE OF A SCHOOL ENTITY, HAVE BEEN  
30 INDEMNIFIED BY THE SCHOOL ENTITY UNDER 42 PA.C.S. §

1 8548 (RELATING TO INDEMNITY).

2 (G) ARE UTILIZED BY A SCHOOL ENTITY OR NONPUBLIC  
3 SCHOOL THAT HAS NOT EMPLOYED A SCHOOL POLICE OFFICER  
4 WITHIN THE THREE YEARS IMMEDIATELY PRECEDING THE  
5 EFFECTIVE DATE OF THIS SECTION. NOTHING IN THIS  
6 SECTION SHALL BE CONSTRUED TO IMPACT GRANT DECISIONS  
7 FOR SCHOOL ENTITIES, MUNICIPALITIES OR LAW  
8 ENFORCEMENT AGENCIES THAT APPLY FOR FUNDING FOR  
9 HIRING OF SCHOOL RESOURCE OFFICERS UNDER SUBSECTION  
10 (J) OR (K).

11 (3) FOR FISCAL YEAR 2023-2024 AND EACH FISCAL YEAR  
12 THEREAFTER, THE COMBINED AMOUNT OF GRANTS AWARDED TO  
13 INTERMEDIATE UNITS ON BEHALF OF NONPUBLIC SCHOOLS UNDER  
14 SUBSECTION (J) AND GRANTS AWARDED FOR COSTS ASSOCIATED WITH A  
15 NONPUBLIC SCHOOL OBTAINING THE SERVICES OF SCHOOL SECURITY  
16 PERSONNEL UNDER SUBSECTION (K) SHALL BE NO LESS THAN  
17 \$14,551,000.

18 (M) AUDITS.--

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

22 (2) THE AUDITOR GENERAL MAY NOT PERFORM AUDITS RELATED  
23 TO SCHOOL SAFETY AND SECURITY ASSESSMENTS, SURVEY INSTRUMENTS  
24 AND GRANT APPLICATIONS.

25 (N) PROCUREMENT PROCEDURES.--AN APPLICANT SHALL BE REQUIRED  
26 TO COMPLY WITH ALL APPLICABLE STATE AND LOCAL PROCUREMENT  
27 REQUIREMENTS, POLICIES AND PROCEDURES WHEN EXPENDING GRANT  
28 MONEY.

29 (O) TRANSFER.--WITHIN 90 DAYS OF THE EFFECTIVE DATE OF THIS  
30 SECTION, FROM THE AMOUNT APPROPRIATED TO THE DEPARTMENT OF

1 EDUCATION FOR THE SAFE SCHOOLS INITIATIVE, THE DEPARTMENT OF  
2 EDUCATION SHALL TRANSFER THE SUM OF \$20,700,000 TO THE  
3 COMMISSION FOR DISTRIBUTION BY THE COMMITTEE IN ACCORDANCE WITH  
4 THIS SECTION.

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

8 "PROGRAM." THE TARGETED SCHOOL SAFETY GRANTS FOR NONPUBLIC  
9 SCHOOLS AND SCHOOL ENTITIES PROGRAM REESTABLISHED IN THIS  
10 SECTION.

11 SECTION 1306.2-B. STANDARDIZED PROTOCOLS.

12 (A) CONTINUATION OF REGULATIONS.--A REGULATION ADOPTED UNDER  
13 SECTION 1302.1-A AND IN EFFECT AS OF THE EFFECTIVE DATE OF THIS  
14 SECTION SHALL BE ENFORCED BY THE COMMITTEE IN COLLABORATION AND  
15 COORDINATION WITH THE DEPARTMENT AND THE STATE BOARD OF  
16 EDUCATION AND SHALL CONTINUE TO HAVE THE SAME FORCE AND EFFECT  
17 UNTIL MODIFIED OR REVISED UNDER THIS SECTION.

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

24 (1) A MODEL MEMORANDUM OF UNDERSTANDING BETWEEN SCHOOL  
25 ENTITIES AND LAW ENFORCEMENT. THE MODEL MEMORANDUM OF  
26 UNDERSTANDING SHALL BE REVIEWED AT LEAST ONCE EVERY THREE  
27 YEARS AND REVISED WHERE NECESSARY. THE COMMITTEE MAY REVISE  
28 THE MODEL MEMORANDUM OF UNDERSTANDING BY TRANSMITTING A  
29 NOTICE TO THE LEGISLATIVE REFERENCE BUREAU FOR PUBLICATION IN  
30 THE NEXT AVAILABLE ISSUE OF THE PENNSYLVANIA BULLETIN THAT

1 CONTAINS THE COMPLETE REVISED MODEL MEMORANDUM OF  
2 UNDERSTANDING. THE REVISED MODEL MEMORANDUM OF UNDERSTANDING  
3 SHALL BE INCORPORATED INTO THE PENNSYLVANIA CODE AND REPLACE  
4 THE EXISTING MODEL MEMORANDUM OF UNDERSTANDING.

5 (2) A PROTOCOL FOR THE NOTIFICATION OF THE LAW  
6 ENFORCEMENT AGENCY WHEN AN OFFENSE LISTED UNDER SECTION 1319-  
7 B(B) (7) OCCURS ON SCHOOL PROPERTY. THE PROTOCOL SHALL INCLUDE  
8 A REQUIREMENT THAT THE SCHOOL ENTITY IMMEDIATELY NOTIFY THE  
9 LAW ENFORCEMENT AGENCY WHEN AN OFFENSE OCCURS.

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

14 (4) A PROTOCOL FOR EMERGENCY AND NONEMERGENCY RESPONSE  
15 BY THE LAW ENFORCEMENT DEPARTMENT. THE PROTOCOL SHALL INCLUDE  
16 A REQUIREMENT THAT THE SCHOOL ENTITY NOTIFY AND SUPPLY THE  
17 LAW ENFORCEMENT AGENCY WITH A COPY OF THE COMPREHENSIVE  
18 DISASTER RESPONSE AND EMERGENCY PREPAREDNESS PLAN AS REQUIRED  
19 BY 35 PA.C.S. § 7701(G) (RELATING TO DUTIES CONCERNING  
20 DISASTER PREVENTION).

21 (5) PROCEDURES AND PROTOCOLS IF A STUDENT WITH A  
22 DISABILITY COMMITS AN INCIDENT LISTED UNDER SECTION 1319-B(B)  
23 (7) AND (8), INCLUDING PROCEDURES RELATED TO STUDENT BEHAVIOR  
24 AS REQUIRED BY 22 PA. CODE § 14.104 (RELATING TO SPECIAL  
25 EDUCATION PLANS) AND 14.133 (RELATING TO POSITIVE BEHAVIOR  
26 SUPPORTS). PROTOCOLS MAY INCLUDE, BUT NEED NOT BE LIMITED TO,  
27 TRAINING IN THE USE OF POSITIVE BEHAVIOR SUPPORTS AND DE-  
28 ESCALATION TECHNIQUES FOR STUDENTS WITH DISABILITIES.  
29 SECTION 1310.1-B. COUNTY SAFE SCHOOLS' COLLABORATIVE.

30 (A) ESTABLISHMENT.--A COUNTY, OR MULTICOUNTIES ACTING



1 JOINTLY, MAY ESTABLISH A SAFE SCHOOLS' COLLABORATIVE TO  
2 DISTRIBUTE, PROMOTE AND DEVELOP BEST PRACTICES APPLICABLE TO  
3 EMERGENCY RESPONSE INVOLVING SCHOOL SAFETY AND SECURITY THROUGH  
4 AN EMERGENCY PREPAREDNESS PLANNING APPROACH. THE COLLABORATIVE  
5 SHALL PROVIDE ASSISTANCE TO SCHOOL ENTITIES, LAW ENFORCEMENT AND  
6 EMERGENCY RESPONDERS AND SHALL MEET AT LEAST QUARTERLY TO  
7 DEVELOP SAFE AND SECURE SCHOOLS. THE COLLABORATIVE SHALL  
8 IDENTIFY AND PROMOTE STRATEGIES, PRACTICES THAT ALIGN WITH THOSE  
9 IDENTIFIED BY THE COMMITTEE AND PROGRAMS THAT SUPPORT SAFE  
10 SCHOOLS FOR ALL STUDENTS AND STAFF AND RECOMMEND IMPLEMENTATION  
11 AS PART OF A COUNTYWIDE OR MULTICOUNTY SAFE SCHOOLS' PLAN.

12 (B) TECHNICAL ASSISTANCE.--THE PENNSYLVANIA EMERGENCY  
13 MANAGEMENT AGENCY IN COLLABORATION WITH THE PENNSYLVANIA STATE  
14 POLICE AND THE OFFICE OF HOMELAND SECURITY SHALL PROVIDE  
15 TECHNICAL ASSISTANCE TO A COUNTY OR SEVERAL COUNTIES TO  
16 ESTABLISH A SAFE SCHOOLS' COLLABORATIVE UNDER SUBSECTION (A) TO  
17 PROVIDE SCHOOL DISTRICTS, EMERGENCY RESPONDERS AND ALL RELEVANT  
18 SCHOOL SAFETY PARTNERS WITH QUALITY INFORMATION, RESOURCES,  
19 CONSULTATION AND TRAINING SERVICES.

20 (C) REPORTS.--THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY  
21 IN COLLABORATION WITH THE PENNSYLVANIA STATE POLICE AND THE  
22 OFFICE OF HOMELAND SECURITY SHALL REPORT TO THE COMMITTEE  
23 ANNUALLY BEGINNING SEPTEMBER 1, 2024, AND SEPTEMBER 1 OF EACH  
24 YEAR THEREAFTER, THE NUMBER OF COUNTIES THAT HAVE REQUESTED  
25 TECHNICAL ASSISTANCE UNDER SUBSECTION (B).

26 (D) CONFIDENTIALITY OF REPORTS.--REPORTS TO THE COMMITTEE  
27 UNDER THIS SECTION SHALL REMAIN CONFIDENTIAL AND SHALL NOT BE  
28 SUBJECT TO INSPECTION AND DUPLICATION UNDER THE ACT OF FEBRUARY  
29 14, 2008 (P.L.6, NO.3), KNOWN AS THE RIGHT-TO-KNOW LAW.

30 (E) CONFIDENTIALITY OF MEETINGS.--MEETINGS OF A COUNTY SAFE

1 SCHOOLS' COLLABORATIVE ARE NOT SUBJECT TO THE REQUIREMENTS OF 65  
2 PA.C.S. CH. 7 (RELATING TO OPEN MEETINGS).

3 SECTION 1315.1-B. SCHOOL MENTAL HEALTH GRANTS FOR 2023-2024  
4 SCHOOL YEAR.

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

9 (B) PURPOSE OF GRANTS.--

10 (1) A SCHOOL ENTITY SHALL BE ELIGIBLE FOR SCHOOL MENTAL  
11 HEALTH GRANTS TO MEET THE LEVEL 1 BASELINE CRITERIA FOR  
12 BEHAVIORAL HEALTH AND SCHOOL CLIMATE CRITERIA ESTABLISHED BY  
13 THE COMMITTEE.

14 (2) A SCHOOL ENTITY THAT HAS MET THE LEVEL 1 BASELINE  
15 CRITERIA SHALL BE ELIGIBLE FOR SCHOOL MENTAL HEALTH GRANTS  
16 FOR THE PURPOSES OUTLINED IN SECTION 1306-B(J) (6), (10),  
17 (15), (17), (19), (20), (21), (23), (24), (25), (26), (27),  
18 (28), (29) AND (30).

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

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

24 (2) AN INTERMEDIATE UNIT, AREA CAREER AND TECHNICAL  
25 SCHOOL, CHARTER SCHOOL, REGIONAL CHARTER SCHOOL, CYBER  
26 CHARTER SCHOOL, APPROVED PRIVATE SCHOOL OR CHARTERED SCHOOL  
27 FOR THE EDUCATION OF THE DEAF OR THE BLIND SHALL RECEIVE  
28 \$70,000.

29 (3) AN AMOUNT DETERMINED AS FOLLOWS:

30 (I) MULTIPLY THE 2021-2022 ADJUSTED AVERAGE DAILY

1 MEMBERSHIP FOR EACH SCHOOL DISTRICT BY THE DIFFERENCE  
2 BETWEEN THE AMOUNT ALLOCATED IN SUBSECTION (A) AND THE  
3 SUM OF THE AMOUNTS DISTRIBUTED UNDER PARAGRAPHS (1) AND  
4 (2).

5 (II) DIVIDE THE PRODUCT FROM SUBPARAGRAPH (I) BY THE  
6 2021-2022 ADJUSTED AVERAGE DAILY MEMBERSHIP FOR ALL  
7 SCHOOL DISTRICTS.

8 (D) AVAILABILITY OF APPLICATIONS.--THE COMMITTEE SHALL MAKE  
9 AN APPLICATION FOR GRANTS UNDER THIS SECTION AVAILABLE TO SCHOOL  
10 ENTITIES NO LATER THAN 45 DAYS AFTER THE EFFECTIVE DATE OF THIS  
11 SECTION. THE APPLICATION REQUIREMENTS SHALL BE LIMITED TO THE  
12 SCHOOL ENTITY'S CONTACT INFORMATION, THE SPECIFIC PURPOSE OF THE  
13 GRANT BASED UPON THE CATEGORIES SPECIFIED IN SUBSECTION (B) WITH  
14 BOXES ON THE APPLICATION FOR THE APPLICANT TO INDICATE THE  
15 SCHOOL ENTITY'S ANTICIPATED USE AND CERTIFICATION BY THE  
16 APPLICANT THAT THE FUNDS WILL BE USED FOR THE STATED PURPOSE.

17 (E) EFFECT OF REVENUE RECEIVED.--GRANT MONEY RECEIVED UNDER  
18 THIS SECTION MAY NOT BE INCLUDED WHEN CALCULATING THE AMOUNT TO  
19 BE PAID UNDER SECTION 1725-A.

20 (F) AUDIT AND MONITORING.--THE COMMITTEE SHALL RANDOMLY  
21 AUDIT AND MONITOR GRANT RECIPIENTS TO ENSURE THE APPROPRIATE USE  
22 OF GRANT FUNDS AND COMPLIANCE WITH PROVISIONS OF THE GRANT  
23 PROGRAM.

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

27 "SCHOOL ENTITY." A SCHOOL DISTRICT, AREA CAREER AND  
28 TECHNICAL SCHOOL, INTERMEDIATE UNIT, CHARTER SCHOOL, REGIONAL  
29 CHARTER SCHOOL AND CYBER CHARTER SCHOOL.

30 SECTION 17. SECTION 1316-B(B) OF THE ACT, ADDED JULY 8, 2022

1 (P.L.620, NO.55), IS AMENDED TO READ:

2 SECTION 1316-B. SCHOOL SAFETY AND SECURITY COORDINATOR  
3 TRAINING.

4 \* \* \*

5 (B) REQUIRED TRAINING.--

6 (1) THE COMMITTEE SHALL ADOPT THE REQUIRED TRAINING  
7 HOURS FOR THE TRAINING DEVELOPED UNDER SUBSECTION (A). THE  
8 COMMITTEE MAY NOT REQUIRE MORE THAN SEVEN HOURS OF TRAINING  
9 FOR THE SCHOOL SAFETY AND SECURITY COORDINATOR ANNUALLY. THE  
10 TRAINING SHALL BE IN ADDITION TO OTHER TRAINING REQUIREMENTS  
11 FOR SCHOOL ADMINISTRATORS.

12 (2) EMPLOYEES REQUIRED TO UNDERGO CONTINUING  
13 PROFESSIONAL EDUCATION UNDER SECTION 1205.2 AND 1205.5 SHALL  
14 RECEIVE CREDIT TOWARD THEIR CONTINUING PROFESSIONAL EDUCATION  
15 REQUIREMENTS.

16 \* \* \*

17 SECTION 18. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:  
18 SECTION 1319-B. REPORTING AND MEMORANDUM OF UNDERSTANDING.

19 (A) DATA REPORTING AND ACCESS.--IN COLLABORATION AND  
20 COORDINATION WITH THE COMMITTEE, THE DEPARTMENT SHALL COLLECT  
21 INFORMATION AS REQUIRED BY THIS SECTION. THE COMMITTEE MAY  
22 REQUEST INFORMATION COLLECTED BY THE DEPARTMENT UNDER THIS  
23 SECTION. THE DEPARTMENT SHALL PROVIDE THE INFORMATION REQUESTED  
24 NO LATER THAN 10 DAYS AFTER THE REQUEST DATE TO THE EXTENT  
25 PERMITTED BY LAW.

26 (B) REPORTING BY CHIEF SCHOOL ADMINISTRATOR.--A CHIEF SCHOOL  
27 ADMINISTRATOR SHALL REPORT TO THE DEPARTMENT BY JULY 31 OF EACH  
28 YEAR ALL NEW INCIDENTS INVOLVING ACTS OF VIOLENCE, POSSESSION OF  
29 A WEAPON OR POSSESSION, USE OR SALE OF CONTROLLED SUBSTANCES AS  
30 DEFINED IN THE ACT OF APRIL 14, 1972 (P.L.233, NO.64), KNOWN AS

1 THE CONTROLLED SUBSTANCE, DRUG, DEVICE AND COSMETIC ACT, OR  
2 POSSESSION, USE OR SALE OF ALCOHOL OR TOBACCO BY ANY PERSON ON  
3 SCHOOL PROPERTY. THE REPORT SHALL INCLUDE ALL INCIDENTS  
4 INVOLVING CONDUCT THAT CONSTITUTES A CRIMINAL OFFENSE LISTED  
5 UNDER SUBSECTION (B) (7) AND (8). REPORTS, ON A FORM TO BE  
6 DEVELOPED AND PROVIDED BY THE DEPARTMENT, IN COLLABORATION AND  
7 COORDINATION WITH THE COMMITTEE, SHALL INCLUDE:

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

9 (2) THE NAME AND ADDRESS OF SCHOOL.

10 (3) THE CIRCUMSTANCES SURROUNDING THE INCIDENT,  
11 INCLUDING, BUT NOT LIMITED TO, THE TYPE OF WEAPON, CONTROLLED  
12 SUBSTANCE, ALCOHOL OR TOBACCO, THE DATE, TIME AND LOCATION OF  
13 THE INCIDENT, IF A PERSON OTHER THAN A STUDENT IS INVOLVED IN  
14 THE INCIDENT AND ANY RELATIONSHIP OF THE PERSON TO THE SCHOOL  
15 ENTITY.

16 (4) THE RACE OF THE STUDENTS INVOLVED.

17 (5) WHETHER THE STUDENTS HAVE AN INDIVIDUALIZED  
18 EDUCATION PLAN UNDER 20 U.S.C. CH.33 (RELATING TO EDUCATION  
19 FOR INDIVIDUALS WITH DISABILITIES) AND, IF SO, THE TYPE OF  
20 DISABILITY.

21 (6) ANY SANCTION IMPOSED BY THE SCHOOL.

22 (7) A LIST OF CRIMINAL OFFENSES WHICH MAY, AT A MINIMUM,  
23 INCLUDE:

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

26 SECTION 908 (RELATING TO PROHIBITED OFFENSIVE  
27 WEAPONS).

28 SECTION 912 (RELATING TO POSSESSION OF WEAPON ON  
29 SCHOOL PROPERTY).

30 CHAPTER 25 (RELATING TO CRIMINAL HOMICIDE).

1           SECTION 2702 (RELATING TO AGGRAVATED ASSAULT).  
2           SECTION 2709.1 (RELATING TO STALKING).  
3           SECTION 2901 (RELATING TO KIDNAPPING).  
4           SECTION 2902 (RELATING TO UNLAWFUL RESTRAINT).  
5           SECTION 3121 (RELATING TO RAPE).  
6           SECTION 3122.1 (RELATING TO STATUTORY SEXUAL  
7 ASSAULT).  
8           SECTION 3123 (RELATING TO INVOLUNTARY DEVIATE SEXUAL  
9 INTERCOURSE).  
10          SECTION 3124.1 (RELATING TO SEXUAL ASSAULT).  
11          SECTION 3124.2 (RELATING TO INSTITUTIONAL SEXUAL  
12 ASSAULT).  
13          SECTION 3125 (RELATING TO AGGRAVATED INDECENT  
14 ASSAULT).  
15          SECTION 3126 (RELATING TO INDECENT ASSAULT).  
16          SECTION 3301 (RELATING TO ARSON AND RELATED  
17 OFFENSES).  
18          SECTION 3307 (RELATING TO INSTITUTIONAL VANDALISM)  
19 WHEN THE OFFENSE IS A FELONY OF THE THIRD DEGREE.  
20          SECTION 3502 (RELATING TO BURGLARY).  
21          SECTION 3503(A) AND (B) (1) (V) (RELATING TO CRIMINAL  
22 TRESPASS).  
23          SECTION 5501 (RELATING TO RIOT).  
24          SECTION 6110.1 (RELATING TO POSSESSION OF FIREARM BY  
25 MINOR).  
26          (II) THE POSSESSION, USE OR SALE OF A CONTROLLED  
27 SUBSTANCE OR DRUG PARAPHERNALIA AS DEFINED IN THE  
28 CONTROLLED SUBSTANCE, DRUG, DEVICE AND COSMETIC ACT.  
29          (III) AN ATTEMPT, SOLICITATION OR CONSPIRACY TO  
30 COMMIT AN OFFENSE LISTED IN SUBCLAUSES (I) AND (II).

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

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

6           SECTION 2701 (RELATING TO SIMPLE ASSAULT).

7           SECTION 2705 (RELATING TO RECKLESSLY ENDANGERING ANOTHER  
8           PERSON).

9           SECTION 2706 (RELATING TO TERRORISTIC THREATS).

10          SECTION 2709 (RELATING TO HARASSMENT).

11          SECTION 3127 (RELATING TO INDECENT EXPOSURE).

12          SECTION 3307 WHEN THE OFFENSE IS A MISDEMEANOR OF THE  
13          SECOND DEGREE.

14          SECTION 3503(B)(1)(I), (II), (III) AND (IV), (B.1) AND  
15          (B.2).

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

17          SECTION 5502 (RELATING TO FAILURE OF DISORDERLY PERSONS  
18          TO DISPERSE UPON OFFICIAL ORDER).

19          SECTION 5503 (RELATING TO DISORDERLY CONDUCT).

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

21          SECTION 6306.1 (RELATING TO USE OF TOBACCO PRODUCTS IN  
22          SCHOOLS PROHIBITED).

23          SECTION 6308 (RELATING TO PURCHASE, CONSUMPTION,  
24          POSSESSION OR TRANSPORTATION OF LIQUOR OR MALT OR BREWED  
25          BEVERAGES).

26          (9) NOTIFICATION OF LAW ENFORCEMENT.

27          (10) REMEDIAL PROGRAMS INVOLVED.

28          (11) PARENTAL INVOLVEMENT REQUIRED.

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

30          (C) DUTIES.--PRIOR TO SUBMITTING THE REPORT REQUIRED UNDER

1 SUBSECTION (B), EACH CHIEF SCHOOL ADMINISTRATOR AND EACH LAW  
2 ENFORCEMENT AGENCY HAVING JURISDICTION OVER SCHOOL PROPERTY OF  
3 THE SCHOOL ENTITY SHALL COMPLY WITH THE FOLLOWING:

4 (1) NO LATER THAN 30 DAYS PRIOR TO THE DEADLINE FOR  
5 SUBMITTING THE REPORT TO THE DEPARTMENT REQUIRED UNDER  
6 SUBSECTION (B), THE CHIEF SCHOOL ADMINISTRATOR SHALL SUBMIT  
7 THE REPORT TO THE LAW ENFORCEMENT AGENCY WITH JURISDICTION  
8 OVER THE RELEVANT SCHOOL PROPERTY. THE LAW ENFORCEMENT AGENCY  
9 SHALL REVIEW THE REPORT AND COMPARE THE DATA REGARDING  
10 CRIMINAL OFFENSES AND NOTIFICATION OF LAW ENFORCEMENT TO  
11 DETERMINE WHETHER THE REPORT ACCURATELY REFLECTS LAW  
12 ENFORCEMENT INCIDENT DATA.

13 (2) NO LATER THAN 15 DAYS PRIOR TO THE DEADLINE FOR THE  
14 CHIEF SCHOOL ADMINISTRATOR TO SUBMIT THE REPORT REQUIRED  
15 UNDER SUBSECTION (B), THE LAW ENFORCEMENT AGENCY SHALL NOTIFY  
16 THE CHIEF SCHOOL ADMINISTRATOR, IN WRITING, WHETHER THE  
17 REPORT ACCURATELY REFLECTS LAW ENFORCEMENT INCIDENT DATA.  
18 WHERE THE LAW ENFORCEMENT AGENCY DETERMINES THAT THE REPORT  
19 ACCURATELY REFLECTS LAW ENFORCEMENT INCIDENT DATA, THE CHIEF  
20 OF POLICE SHALL SIGN THE REPORT. IF THE LAW ENFORCEMENT  
21 AGENCY DETERMINES THAT THE REPORT DOES NOT ACCURATELY REFLECT  
22 LAW ENFORCEMENT INCIDENT DATA, THE LAW ENFORCEMENT AGENCY  
23 SHALL INDICATE ANY DISCREPANCY BETWEEN THE REPORT AND LAW  
24 ENFORCEMENT INCIDENT DATA.

25 (3) PRIOR TO SUBMITTING THE REPORT REQUIRED UNDER  
26 SUBSECTION (B), THE CHIEF SCHOOL ADMINISTRATOR AND THE LAW  
27 ENFORCEMENT AGENCY SHALL ATTEMPT TO RESOLVE ANY DISCREPANCY  
28 BETWEEN THE REPORT AND LAW ENFORCEMENT INCIDENT DATA. IF A  
29 DISCREPANCY REMAINS UNRESOLVED, THE LAW ENFORCEMENT AGENCY  
30 SHALL NOTIFY THE CHIEF SCHOOL ADMINISTRATOR AND THE



1 DEPARTMENT IN WRITING.

2 (4) IF A LAW ENFORCEMENT AGENCY FAILS TO TAKE ACTION AS  
3 REQUIRED UNDER PARAGRAPH (2) OR (3), THE CHIEF SCHOOL  
4 ADMINISTRATOR SHALL SUBMIT THE REPORT REQUIRED UNDER  
5 SUBSECTION (B) AND INDICATE THAT THE LAW ENFORCEMENT AGENCY  
6 FAILED TO TAKE ACTION AS REQUIRED UNDER PARAGRAPH (2) OR (3),  
7 AS APPLICABLE.

8 (D) ADVISORY COMMITTEE.--A CHIEF SCHOOL ADMINISTRATOR SHALL  
9 FORM AN ADVISORY COMMITTEE COMPOSED OF RELEVANT SCHOOL STAFF,  
10 INCLUDING, BUT NOT LIMITED TO, PRINCIPALS, SECURITY PERSONNEL,  
11 SCHOOL SAFETY AND SECURITY COORDINATOR, EMERGENCY SERVICES  
12 PERSONNEL, SCHOOL SECURITY PERSONNEL, GUIDANCE COUNSELORS AND  
13 SPECIAL EDUCATION ADMINISTRATORS TO ASSIST IN THE DEVELOPMENT OF  
14 A MEMORANDUM OF UNDERSTANDING UNDER THIS SECTION. IN  
15 CONSULTATION WITH THE ADVISORY COMMITTEE, THE CHIEF SCHOOL  
16 ADMINISTRATOR SHALL ENTER INTO A MEMORANDUM OF UNDERSTANDING  
17 WITH LAW ENFORCEMENT AGENCIES HAVING JURISDICTION OVER SCHOOL  
18 PROPERTY OF THE SCHOOL ENTITY. THE CHIEF SCHOOL ADMINISTRATOR  
19 SHALL SUBMIT A COPY OF THE MEMORANDUM OF UNDERSTANDING TO THE  
20 DEPARTMENT BY JUNE 30, 2024, AND BIENNIALY UPDATE AND RE-  
21 EXECUTE A MEMORANDUM OF UNDERSTANDING WITH LAW ENFORCEMENT AND  
22 FILE THE MEMORANDUM WITH THE DEPARTMENT ON A BIENNIAL BASIS. THE  
23 MEMORANDUM OF UNDERSTANDING SHALL BE SIGNED BY THE CHIEF SCHOOL  
24 ADMINISTRATOR, THE CHIEF OF POLICE OF THE LAW ENFORCEMENT AGENCY  
25 WITH JURISDICTION OVER THE RELEVANT SCHOOL PROPERTY AND  
26 PRINCIPALS OF EACH SCHOOL BUILDING OF THE SCHOOL ENTITY. THE  
27 MEMORANDUM OF UNDERSTANDING SHALL COMPLY WITH THE REGULATIONS  
28 PROMULGATED UNDER SECTION 1306.2-B AND SHALL ALSO INCLUDE:

29 (1) A PROCEDURE FOR LAW ENFORCEMENT AGENCY REVIEW OF THE  
30 ANNUAL REPORT REQUIRED UNDER SUBSECTION (B) PRIOR TO THE

1 CHIEF SCHOOL ADMINISTRATOR FILING THE REPORT WITH THE  
2 DEPARTMENT.

3 (2) A PROCEDURE FOR THE RESOLUTION OF A SCHOOL VIOLENCE  
4 DATA DISCREPANCY IN THE REPORT PRIOR TO FILING THE REPORT  
5 REQUIRED WITH THE DEPARTMENT.

6 (3) ADDITIONAL MATTERS PERTAINING TO CRIME PREVENTION  
7 AGREED TO BETWEEN THE CHIEF SCHOOL ADMINISTRATOR AND THE LAW  
8 ENFORCEMENT AGENCY.

9 (E) CONSTRUCTION.--PURSUANT TO 20 U.S.C. § 1415(K) (6)  
10 (RELATING TO PROCEDURAL SAFEGUARDS), NOTHING IN SECTION 1302.1-A  
11 OR THIS SECTION SHALL BE CONSTRUED TO PROHIBIT A SCHOOL ENTITY  
12 FROM REPORTING A CRIME COMMITTED BY A CHILD WITH A DISABILITY TO  
13 APPROPRIATE AUTHORITIES OR TO PREVENT STATE LAW ENFORCEMENT AND  
14 JUDICIAL AUTHORITIES FROM EXERCISING THEIR RESPONSIBILITIES WITH  
15 REGARD TO THE APPLICATION OF FEDERAL AND STATE LAW TO CRIMES  
16 COMMITTED BY A CHILD WITH A DISABILITY.

17 (F) NONCOMPLIANCE.--IF A SCHOOL ENTITY OR LAW ENFORCEMENT  
18 AGENCY FAILS TO COMPLY WITH THE PROVISIONS OF THIS SECTION, THE  
19 SCHOOL ENTITY OR LAW ENFORCEMENT AGENCY MAY NOT BE AWARDED ANY  
20 GRANT ADMINISTERED BY THE COMMITTEE UNTIL SUCH TIME AS THE  
21 SCHOOL ENTITY OR LAW ENFORCEMENT AGENCY HAS COMPLIED WITH THIS  
22 SECTION.

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

24 (1) THE COMMITTEE SHALL REVIEW AND MAKE RECOMMENDATIONS  
25 IN A REPORT TO THE GENERAL ASSEMBLY RELATING TO THE  
26 FOLLOWING:

27 (I) ALL REQUIRED REPORTING UNDER THIS SECTION,  
28 INCLUDING CONSIDERATION OF THE CRIMINAL OFFENSES UNDER  
29 SUBSECTION (B) (7) AND (8).

30 (II) ALL REQUIRED REPORTING UNDER THIS ARTICLE AND

1           ARTICLE XIII-C.

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

6           (3) THE COMMITTEE SHALL TRANSMIT NOTICE OF THE REPORTS  
7 UNDER SUBPARAGRAPHS (1) AND (2) TO THE DEPARTMENT AND THE  
8 GENERAL ASSEMBLY. THE COMMITTEE SHALL TRANSMIT NOTICE OF THE  
9 REPORTS TO THE LEGISLATIVE REFERENCE BUREAU FOR PUBLICATION  
10 IN THE NEXT AVAILABLE ISSUE OF THE PENNSYLVANIA BULLETIN.

11 SECTION 1320-B. SAFE SCHOOLS ADVOCATE IN SCHOOL DISTRICTS OF  
12 THE FIRST CLASS.

13           (A) ESTABLISHMENT.--THE EXECUTIVE DIRECTOR OF THE COMMISSION  
14 SHALL ESTABLISH, WITHIN THE COMMISSION, A SAFE SCHOOLS ADVOCATE  
15 FOR EACH SCHOOL DISTRICT. THE SAFE SCHOOLS ADVOCATE SHALL NOT BE  
16 SUBJECT TO 71 PA.C.S. PT. III (RELATING TO CIVIL SERVICE  
17 REFORM). THE ADVOCATE SHALL ESTABLISH AND MAINTAIN AN OFFICE  
18 WITHIN THE SCHOOL DISTRICT.

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

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

26           (2) FOR THE PURPOSES OF VICTIM ADVOCACY AND TO ASSIST IN  
27 THE ANNUAL MONITORING PROCESS UNDER PARAGRAPH (1), TO HAVE  
28 DIRECT ACCESS TO THE SCHOOL DISTRICT'S INTERNAL DOCUMENT  
29 SUPPORTING THE INFORMATION REQUIRED TO BE REPORTED UNDER  
30 SECTION 1319-B.

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

4           (4) TO RECEIVE INQUIRIES FROM SCHOOL STAFF AND PARENTS  
5 OR GUARDIANS OF STUDENTS WHO ARE VICTIMS OF CONDUCT THAT  
6 CONSTITUTES A CRIMINAL OFFENSE ON SCHOOL PROPERTY OR TO OR  
7 FROM SCHOOL.

8           (5) TO ESTABLISH A PROTOCOL, IN CONSULTATION WITH THE  
9 JUVENILE COURT JUDGES' COMMISSION, TO ASSURE TIMELY RECEIPT  
10 BY THE SCHOOL DISTRICT OF INFORMATION REGARDING STUDENTS WHO  
11 HAVE BEEN ADJUDICATED DELINQUENT UNDER 42 PA.C.S. § 6341(B.1)  
12 (RELATING TO ADJUDICATION) AND TO MONITOR THE SCHOOL  
13 DISTRICT'S USE OF THAT INFORMATION TO ENSURE THAT VICTIMS ARE  
14 PROTECTED.

15           (6) TO ESTABLISH A PROGRAM TO ASSURE EXTENSIVE AND  
16 CONTINUING PUBLIC AWARENESS OF INFORMATION REGARDING THE ROLE  
17 OF THE ADVOCATE ON BEHALF OF VICTIMS OF CONDUCT THAT  
18 CONSTITUTES A CRIMINAL OFFENSE ON SCHOOL PROPERTY OR TO OR  
19 FROM SCHOOL, WHICH MAY INCLUDE THE MAILING OF INFORMATION TO  
20 THE PARENTS OR GUARDIANS OF STUDENTS IN THE SCHOOL DISTRICT  
21 OR OTHER FORMS OF COMMUNICATION.

22           (7) TO PREPARE AN ANNUAL REPORT REGARDING THE ACTIVITIES  
23 OF THE ADVOCATE DURING THE PRIOR FISCAL YEAR AND ANY  
24 RECOMMENDATION FOR REMEDIAL LEGISLATION, REGULATION OR SCHOOL  
25 DISTRICT ADMINISTRATIVE REFORM, WHICH SHALL BE SUBMITTED TO  
26 THE SCHOOL DISTRICT SUPERINTENDENT, THE SECRETARY, THE  
27 EXECUTIVE DIRECTOR OF THE COMMISSION, THE CHAIRPERSON OF THE  
28 EDUCATION COMMITTEE OF THE SENATE AND THE CHAIRPERSON OF THE  
29 EDUCATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES BY AUGUST  
30 15 OF EACH YEAR.

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

5 (1) PROVIDE ASSISTANCE AND ADVICE, INCLUDING INFORMATION  
6 ON SUPPORT SERVICES PROVIDED BY VICTIM ASSISTANCE OFFICES OF  
7 THE APPROPRIATE DISTRICT ATTORNEY AND THROUGH LOCAL  
8 COMMUNITY-BASED VICTIM SERVICE AGENCIES.

9 (2) PROVIDE INFORMATION TO THE PARENT OR GUARDIAN OF A  
10 STUDENT VICTIM REGARDING THE DISCIPLINARY PROCESS AND ANY  
11 ACTION ULTIMATELY TAKEN AGAINST THE STUDENT ACCUSED OF  
12 COMMITTING THE CONDUCT THAT CONSTITUTES A CRIMINAL OFFENSE.

13 (3) IF THE POSSESSION OR USE OF A WEAPON IS INVOLVED,  
14 ADVISE THE PARENT OR GUARDIAN OF THE VICTIM WHETHER THE  
15 SCHOOL DISTRICT PROPERLY EXERCISED ITS DUTY UNDER SECTION  
16 1317.2.

17 (4) IF THE ADVOCATE HAS RECEIVED A REQUEST BY THE PARENT  
18 OR GUARDIAN OF THE VICTIM, ATTEND FORMAL DISCIPLINARY  
19 PROCEEDINGS.

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

23 (I) MAKING ORAL OR WRITTEN PRESENTATIONS, INCLUDING  
24 TESTIMONY BY THE VICTIM OR THE PARENT OR GUARDIAN OF THE  
25 VICTIM, REGARDING THE IMPACT ON THE VICTIM AND THE  
26 VICTIM'S FAMILY AND THE APPROPRIATE DISCIPLINARY ACTION;  
27 AND

28 (II) CONDUCTING DIRECT OR CROSS-EXAMINATION OF  
29 WITNESSES.

30 (6) IF THE PERPETRATOR OF CONDUCT THAT CONSTITUTES A

1 CRIMINAL OFFENSE RETURNS TO SCHOOL AFTER PLACEMENT UNDER A  
2 CONSENT DECREE, ADJUDICATION OF DELINQUENCY OR CONVICTION OF  
3 A CRIMINAL OFFENSE, ASSIST THE PARENT OR GUARDIAN OF THE  
4 VICTIM IN PROVIDING INPUT TO THE SCHOOL DISTRICT AND THE  
5 APPROPRIATE JUVENILE OR CRIMINAL JUSTICE AUTHORITY TO ENSURE  
6 THE VICTIM'S SAFETY ON SCHOOL PROPERTY.

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

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

13 (D) NOTIFICATION.--

14 (1) UPON DISCOVERY OF THE COMMISSION OF CONDUCT THAT  
15 CONSTITUTES A CRIMINAL OFFENSE UPON A STUDENT, THE SCHOOL  
16 DISTRICT SHALL IMMEDIATELY NOTIFY THE SAFE SCHOOLS ADVOCATE  
17 OF THE INCIDENT, INCLUDING THE DETAILS OF THE INCIDENT AND  
18 ALL OF THE INDIVIDUALS INVOLVED, AND IMMEDIATELY NOTIFY THE  
19 VICTIM, THE VICTIM'S PARENT OR LEGAL GUARDIAN.

20 (2) THE FORM OF THE NOTICE TO THE VICTIM OR THE VICTIM'S  
21 PARENT OR LEGAL GUARDIAN SHALL BE DEVELOPED BY THE ADVOCATE  
22 AND PROVIDED TO THE SCHOOL DISTRICT AND SHALL INCLUDE THE  
23 ADDRESS AND TELEPHONE NUMBER OF THE ADVOCATE AND A BRIEF  
24 DESCRIPTION OF THE PURPOSES AND FUNCTIONS OF THE SAFE SCHOOLS  
25 ADVOCATE.

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

1           (4) THE FORM OF THE NOTICE SHALL ALSO BE DEVELOPED BY  
2           THE SAFE SCHOOLS ADVOCATE AND PROVIDED TO THE SCHOOL  
3           DISTRICT.

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

8           (F) APPLICABLE PROVISIONS.--THE ADVOCATE AND ALL EMPLOYEES  
9           AND AGENTS OF THE SAFE SCHOOLS ADVOCATE SHALL BE SUBJECT TO AND  
10          20 U.S.C. § 1232G (RELATING TO FAMILY EDUCATIONAL AND PRIVACY  
11          RIGHTS) AND 34 CFR PT. 99 (RELATING TO FAMILY EDUCATIONAL RIGHTS  
12          AND PRIVACY).

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

17          (H) STANDING.--

18           (1) IF A STUDENT IN A SCHOOL DISTRICT IS A VICTIM OF AN  
19           ACT OF VIOLENCE INVOLVING A WEAPON ON SCHOOL DISTRICT  
20           PROPERTY AND THE STUDENT WHO POSSESSED THE WEAPON WAS NOT  
21           EXPELLED UNDER SECTION 1317.2, THE PARENT OR GUARDIAN OF THE  
22           VICTIM SHALL HAVE STANDING TO INSTITUTE A LEGAL PROCEEDING TO  
23           OBTAIN EXPULSION OF THE STUDENT.

24           (2) THE OFFICE OF GENERAL COUNSEL SHALL HAVE STANDING TO  
25           BRING AN ACTION ON BEHALF OF A VICTIM OR THE PARENT OR  
26           GUARDIAN OF A VICTIM OF AN ACT OF VIOLENCE IN A SCHOOL IN A  
27           SCHOOL DISTRICT TO MODIFY, CLARIFY OR ELIMINATE A CONSENT  
28           DECREE THAT IS RELATED TO DISCIPLINE IN THE SCHOOL DISTRICT  
29           IF, IN CONSULTATION WITH THE ADVOCATE, THE OFFICE OF GENERAL  
30           COUNSEL BELIEVES THAT THE ACTION IS IN THE BEST INTERESTS OF

1 THE STUDENTS OF THE SCHOOL DISTRICT.

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

5 (I) FOR CONTRACTS FOR LEGAL SERVICES TO ASSIST LOW-  
6 INCOME PARENTS OR GUARDIANS OF VICTIMS TO OBTAIN LEGAL  
7 SERVICES FOR PROCEEDINGS UNDER SUBSECTION (A).

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

10 (4) THE DESIGNATION OF ATTORNEYS TO RECEIVE FUNDS UNDER  
11 THIS SUBSECTION SHALL BE WITHIN THE DISCRETION OF THE OFFICE  
12 OF GENERAL COUNSEL AFTER CONSULTATION WITH THE SAFE SCHOOLS  
13 ADVOCATE.

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

16 (6) LEGAL PROCEEDINGS UNDER THIS SECTION SHALL BE  
17 CONDUCTED BY AN ATTORNEY DESIGNATED BY THE OFFICE OF GENERAL  
18 COUNSEL IN CONSULTATION WITH THE SAFE SCHOOLS ADVOCATE. THE  
19 ATTORNEY MUST BE A MEMBER OF THE BAR IN GOOD STANDING.

20 (I) 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 "LOW-INCOME PARENT OR GUARDIAN." A PARENT WHOSE FAMILY  
24 INCOME IS NO GREATER THAN 250% OF THE FEDERAL POVERTY LEVEL.

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

26 "VICTIM." AN INDIVIDUAL AGAINST WHOM A CRIME HAS BEEN  
27 COMMITTED OR ATTEMPTED AND WHO, AS A DIRECT RESULT OF THE  
28 CRIMINAL ACT OR ATTEMPT, SUFFERS PHYSICAL OR MENTAL INJURY,  
29 DEATH OR THE LOSS OF EARNINGS AS THOSE TERMS ARE DEFINED UNDER  
30 SECTION 103 OF THE ACT OF NOVEMBER 24, 1998 (P.L.882, NO.111),



1 KNOWN AS THE CRIME VICTIMS ACT. THE TERM MAY INCLUDE AN  
2 INDIVIDUAL EXERCISING SELF-DEFENSE WHEN ASSAULTED.  
3 SECTION 1321-B. ENFORCEMENT.

4 (A) PROCEDURE.--

5 (1) IF A SCHOOL DISTRICT OF THE FIRST CLASS FAILS TO  
6 COMPLY WITH THE REQUIREMENT TO PROVIDE INFORMATION TO THE  
7 SAFE SCHOOLS ADVOCATE UNDER SECTION 1320-B, THE ADVOCATE  
8 SHALL PROVIDE DOCUMENTATION OF THE FAILURE TO THE SECRETARY  
9 OF EDUCATION AND THE COMMISSION.

10 (2) IF THE SECRETARY OF EDUCATION DETERMINES THAT THERE  
11 IS NONCOMPLIANCE, THE SECRETARY SHALL DIRECT THE SCHOOL  
12 DISTRICT OF THE FIRST CLASS TO TAKE CORRECTIVE ACTION. IF THE  
13 SCHOOL DISTRICT OF THE FIRST CLASS FAILS TO TAKE CORRECTIVE  
14 ACTION WITHIN 60 DAYS, THE SECRETARY SHALL NOTIFY THE  
15 ADVOCATE AND THE OFFICE OF GENERAL COUNSEL. THE OFFICE OF  
16 GENERAL COUNSEL, IN CONSULTATION WITH THE SAFE SCHOOLS  
17 ADVOCATE, SHALL DESIGNATE AN ATTORNEY TO BRING AN ACTION IN A  
18 COURT OF COMPETENT JURISDICTION TO OBTAIN COMPLIANCE.

19 (3) IF THE SECRETARY OF EDUCATION DETERMINES THAT THE  
20 SCHOOL DISTRICT OF THE FIRST CLASS HAS COMPLIED WITH THE  
21 REQUIREMENTS TO PROVIDE INFORMATION TO THE SAFE SCHOOLS  
22 ADVOCATE, THE SECRETARY SHALL CONVENE A PUBLIC HEARING AT  
23 WHICH THE SAFE SCHOOLS ADVOCATE SHALL BE PERMITTED TO TESTIFY  
24 REGARDING THE ALLEGED NONCOMPLIANCE.

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

29 (B) CONSTRUCTION OF ARTICLE AND OTHER LAWS.--NOTHING IN THIS  
30 ARTICLE OR ANY OTHER PROVISION OF LAW SHALL BE CONSTRUED AS

1 GRANTING A RIGHT OF STATUS FOR OR PARTICIPATION BY THE SAFE  
2 SCHOOLS ADVOCATE IN A GRIEVANCE OR ARBITRATION PROCEEDING  
3 ARISING OUT OF A COLLECTIVE BARGAINING AGREEMENT.

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

7 SECTION 1301-C. DEFINITIONS.

8 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE  
9 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE  
10 CONTEXT CLEARLY INDICATES OTHERWISE:

11 \* \* \*

12 "COMMITTEE." THE SCHOOL SAFETY AND SECURITY COMMITTEE  
13 ESTABLISHED UNDER SECTION 1302-B.

14 \* \* \*

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

19 SECTION 20. SECTION 1302-C OF THE ACT IS AMENDED BY ADDING A  
20 SUBSECTION TO READ:

21 SECTION 1302-C. SCHOOL POLICE OFFICERS.

22 \* \* \*

23 (C) REPORTING.--

24 (1) A SCHOOL ENTITY OR NONPUBLIC SCHOOL THAT HAS APPLIED  
25 TO THE COURT TO APPOINT A PERSON OR PERSONS TO ACT AS SCHOOL  
26 POLICE OFFICERS UNDER SUBSECTION (A) ON OR AFTER THE  
27 EFFECTIVE DATE OF THIS SUBSECTION SHALL, WITHIN 30 DAYS OF  
28 APPROVAL OF THE APPOINTMENT FROM THE COURT, SUBMIT A COPY OF  
29 THE COURT'S ORDER TO THE COMMITTEE.

30 (2) A SCHOOL ENTITY OR NONPUBLIC SCHOOL THAT HAS

1 PREVIOUSLY APPLIED TO THE COURT TO APPOINT A PERSON OR  
2 PERSONS TO ACT AS SCHOOL POLICE OFFICERS PRIOR TO THE  
3 EFFECTIVE DATE OF THIS SUBSECTION SHALL, WITHIN 120 DAYS OF  
4 THE EFFECTIVE DATE OF THIS PARAGRAPH, SUBMIT A COPY OF THE  
5 COURT'S ORDER RELATING TO THE APPOINTMENT OF EACH SCHOOL  
6 POLICE OFFICER TO THE COMMITTEE.

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

9 SECTION 21. SECTIONS 1303-C AND 1314-C(B) (3) (I) (C) OF THE  
10 ACT ARE AMENDED TO READ:

11 SECTION 1303-C. ANNUAL REPORT.

12 A SCHOOL ENTITY OR NONPUBLIC SCHOOL WHICH EMPLOYS OR  
13 CONTRACTS FOR A SCHOOL POLICE OFFICER SHALL REPORT ANNUALLY TO  
14 THE DEPARTMENT, THE COMMITTEE AND THE COMMISSION THE FOLLOWING  
15 INFORMATION REGARDING SCHOOL POLICE OFFICERS RECEIVING TRAINING  
16 AS REQUIRED UNDER 53 PA.C.S. CH. 21 SUBCH. D (RELATING TO  
17 MUNICIPAL POLICE EDUCATION AND TRAINING):

18 (1) THE IDENTITY OF THE SCHOOL ENTITY OR NONPUBLIC  
19 SCHOOL AND THE NUMBER OF SCHOOL POLICE OFFICERS EMPLOYED OR  
20 CONTRACTED BY THE SCHOOL ENTITY OR NONPUBLIC SCHOOL.

21 (2) THE MUNICIPALITIES COMPRISING THE SCHOOL ENTITY OR  
22 IN WHICH THE NONPUBLIC SCHOOL IS LOCATED.

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

25 SECTION 1314-C. SCHOOL SECURITY GUARDS.

26 \* \* \*

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

28 \* \* \*

29 (3) AN ARMED SCHOOL SECURITY GUARD WHO IS EMPLOYED OR  
30 CONTRACTED BY A SCHOOL ENTITY OR NONPUBLIC SCHOOL BEFORE

1 SEPTEMBER 2, 2019, SHALL HAVE UNTIL FEBRUARY 28, 2020, TO  
2 COMPLETE THE INSTRUCTION UNDER PARAGRAPH (1) UNLESS AN  
3 EXTENSION IS APPROVED THROUGH THE FOLLOWING PROCESS:

4 (I) THE GOVERNING BODY OF A SCHOOL ENTITY OR  
5 NONPUBLIC SCHOOL MAY APPROVE AN EXTENSION OF THE DEADLINE  
6 SPECIFIED IN THIS PARAGRAPH FOR ARMED SCHOOL SECURITY  
7 GUARDS TO COMPLETE THE REQUIRED INSTRUCTION DUE TO A  
8 HARDSHIP IN COMPLYING WITH THE DEADLINE. THE DEADLINE MAY  
9 BE EXTENDED TO NO LATER THAN THE BEGINNING OF THE 2020-  
10 2021 SCHOOL YEAR. THE FOLLOWING SHALL APPLY:

11 \* \* \*

12 (C) THE SCHOOL ENTITY OR NONPUBLIC SCHOOL SHALL  
13 SUBMIT THE APPROVED HARDSHIP EXTENSION TO [THE OFFICE  
14 OF SAFE SCHOOLS WITHIN] THE DEPARTMENT NOT LATER THAN  
15 15 DAYS FROM THE DATE OF APPROVAL. ANY DOCUMENTATION  
16 SUBMITTED UNDER THIS CLAUSE MAY NOT BE SUBJECT TO  
17 INSPECTION AND DUPLICATION UNDER THE ACT OF FEBRUARY  
18 14, 2008 (P.L.6, NO.3), KNOWN AS THE RIGHT-TO-KNOW  
19 LAW.

20 \* \* \*

21 SECTION 22. SECTION 1403-A(C) (1), (D) AND (E) OF THE ACT,  
22 AMENDED JULY 8, 2022 (P.L.620, NO.55), ARE AMENDED TO READ:  
23 SECTION 1403-A. SCOPE OF PROGRAM AND SELECTION OF STUDENTS.

24 \* \* \*

25 (C) STUDENT REQUIREMENTS.--A STUDENT MAY ENROLL IN THE  
26 RECOVERY HIGH SCHOOL UNDER THE PROGRAM IF THE FOLLOWING APPLY:

27 [(1) (I) SUBJECT TO SUBPARAGRAPH (II), THE STUDENT  
28 RESIDES IN A SCHOOL DISTRICT OF THE FIRST CLASS, WHICH  
29 HAS APPROVED THE STUDENT'S ENROLLMENT IN THE RECOVERY  
30 HIGH SCHOOL UNDER THE PROGRAM AND, WITH THE WRITTEN

1 CONSENT OF THE STUDENT'S PARENT OR GUARDIAN, HAS APPLIED  
2 FOR ENROLLMENT IN THE RECOVERY HIGH SCHOOL ON THE  
3 STUDENT'S BEHALF.

4 (II) IF FEWER THAN 20 STUDENTS RESIDING IN A SCHOOL  
5 DISTRICT OF THE FIRST CLASS ENROLL IN THE RECOVERY HIGH  
6 SCHOOL UNDER THE PROGRAM AT ANY TIME UNDER SUBPARAGRAPH  
7 (I), A STUDENT WHO RESIDES IN A SCHOOL DISTRICT OTHER  
8 THAN A SCHOOL DISTRICT OF THE FIRST CLASS MAY ENROLL IN  
9 THE RECOVERY HIGH SCHOOL UNDER THE PROGRAM IF THE  
10 STUDENT'S RESIDENT SCHOOL DISTRICT HAS APPROVED THE  
11 STUDENT'S ENROLLMENT IN THE RECOVERY HIGH SCHOOL UNDER  
12 THE PROGRAM AND, WITH THE WRITTEN CONSENT OF THE  
13 STUDENT'S PARENT OR GUARDIAN, HAS APPLIED FOR ENROLLMENT  
14 IN THE RECOVERY HIGH SCHOOL ON THE STUDENT'S BEHALF.]

15 \* \* \*

16 [(D) APPROVAL OR DISAPPROVAL BY RESIDENT SCHOOL DISTRICT.--  
17 WITHIN 15 DAYS AFTER A STUDENT'S PARENT OR GUARDIAN SUBMITS A  
18 WRITTEN REQUEST TO THE RESIDENT SCHOOL DISTRICT SEEKING THE  
19 STUDENT'S ENROLLMENT IN THE RECOVERY HIGH SCHOOL UNDER THE  
20 PROGRAM, THE RESIDENT SCHOOL DISTRICT SHALL ISSUE WRITTEN NOTICE  
21 TO THE PARENT OR GUARDIAN APPROVING OR DISAPPROVING THE REQUEST.

22 (E) HEARING.--IF A PARENT OR GUARDIAN DISAGREES WITH A  
23 RESIDENT SCHOOL DISTRICT'S DISAPPROVAL OF THE STUDENT'S  
24 ENROLLMENT IN THE RECOVERY HIGH SCHOOL UNDER THE PROGRAM, THE  
25 FOLLOWING SHALL APPLY:

26 (1) FOR A STUDENT WITH AN IEP, THE DUE PROCESS HEARING  
27 REQUIREMENTS OF 22 PA. CODE CH. 14 (RELATING TO SPECIAL  
28 EDUCATION SERVICES AND PROGRAMS) SHALL APPLY.

29 (2) FOR A STUDENT WITHOUT AN IEP, THE RESIDENT SCHOOL  
30 DISTRICT SHALL FOLLOW A NOTICE AND HEARING PROCESS THAT THE

1 DEPARTMENT SHALL DEVELOP AND POST ON ITS PUBLICLY ACCESSIBLE  
2 INTERNET WEBSITE.

3 (3) IF A STUDENT'S ENROLLMENT IN THE RECOVERY HIGH  
4 SCHOOL UNDER THE PROGRAM IS NOT APPROVED BY THE STUDENT'S  
5 RESIDENT SCHOOL DISTRICT OR IF THE STUDENT'S PARENT OR  
6 GUARDIAN CHOOSES NOT TO PARTICIPATE IN THE PROGRAM  
7 ESTABLISHED UNDER SECTION 1402-A, THE STUDENT'S PARENT OR  
8 GUARDIAN MAY PAY THE STUDENT'S TUITION TO ENROLL IN THE  
9 RECOVERY HIGH SCHOOL, PROVIDED THAT THE RECOVERY HIGH SCHOOL  
10 HAS APPROVED THE STUDENT'S ENROLLMENT IN THE RECOVERY HIGH  
11 SCHOOL.]

12 SECTION 23. THE ACT IS AMENDED BY ADDING A SECTION TO READ:  
13 SECTION 1403.1-A. ENROLLMENT OF STUDENTS.

14 (A) CONDITIONS.--A STUDENT MAY ENROLL IN THE RECOVERY HIGH  
15 SCHOOL UNDER THE PROGRAM ESTABLISHED IN SECTION 1402-A IF THE  
16 FOLLOWING APPLY:

17 (1) SUBJECT TO PARAGRAPH (2), THE STUDENT RESIDES IN A  
18 SCHOOL DISTRICT OF THE FIRST CLASS AND THE STUDENT'S PARENT  
19 OR GUARDIAN HAS APPLIED FOR ENROLLMENT IN THE RECOVERY HIGH  
20 SCHOOL ON THE STUDENT'S BEHALF.

21 (2) IF FEWER THAN 20 STUDENTS RESIDING IN A SCHOOL  
22 DISTRICT OF THE FIRST CLASS ENROLL IN THE RECOVERY HIGH  
23 SCHOOL UNDER THE PROGRAM AT ANY TIME, A STUDENT WHO RESIDES  
24 IN A SCHOOL DISTRICT OTHER THAN A SCHOOL DISTRICT OF THE  
25 FIRST CLASS MAY ENROLL IN THE RECOVERY HIGH SCHOOL UNDER THE  
26 PROGRAM IF THE STUDENT'S PARENT OR GUARDIAN HAS APPLIED FOR  
27 ENROLLMENT IN THE RECOVERY HIGH SCHOOL ON THE STUDENT'S  
28 BEHALF.

29 (B) PAYMENT.--THE DEPARTMENT OF EDUCATION SHALL PAY ANY  
30 TUITION DUE FROM THE STUDENT'S SCHOOL DISTRICT OF RESIDENCE

1 UNDER SECTION 1405-A TO THE RECOVERY HIGH SCHOOL BY SUBTRACTING  
2 THE AMOUNT FROM STATE SUBSIDIES PAYABLE TO THE STUDENT'S SCHOOL  
3 DISTRICT OF RESIDENCE.

4 SECTION 24. ~~SECTION 1404 A OF THE ACT IS REPEALED:~~ <--

5 ~~[SECTION 1404 A. ACADEMIC PROGRAMS.]~~

6 ~~(A) ASSESSMENTS. THE RECOVERY HIGH SCHOOL SHALL ADMINISTER~~  
7 ~~TO ALL STUDENTS ENROLLED IN THE RECOVERY HIGH SCHOOL UNDER THE~~  
8 ~~PROGRAM ANY ASSESSMENTS THAT ARE REQUIRED UNDER 22 PA. CODE CH.~~  
9 ~~4 (RELATING TO ACADEMIC STANDARDS AND ASSESSMENT). STUDENT~~  
10 ~~SCORES ON ANY REQUIRED ASSESSMENTS SHALL BE ATTRIBUTED TO THE~~  
11 ~~STUDENT'S RESIDENT SCHOOL DISTRICT FOR PURPOSES OF COMPLIANCE~~  
12 ~~WITH THE EVERY STUDENT SUCCEEDS ACT (PUBLIC LAW 114 95, 129~~  
13 ~~STAT. 1802).~~

14 ~~(B) CERTIFICATION. AT LEAST 75% OF THE PROFESSIONAL STAFF~~  
15 ~~MEMBERS OF THE RECOVERY HIGH SCHOOL SHALL HOLD APPROPRIATE STATE~~  
16 ~~CERTIFICATION, PROVIDED THAT ALL PROFESSIONAL STAFF MEMBERS OF~~  
17 ~~THE RECOVERY HIGH SCHOOL WHO ARE RESPONSIBLE FOR PROVIDING~~  
18 ~~SPECIAL EDUCATION SERVICES TO STUDENTS ENROLLED IN THE RECOVERY~~  
19 ~~HIGH SCHOOL UNDER THE PROGRAM SHALL HOLD APPROPRIATE STATE~~  
20 ~~CERTIFICATION IN SPECIAL EDUCATION.~~

21 SECTION 24. SECTION 1404-A(C) OF THE ACT IS AMENDED TO READ: <--

22 SECTION 1404-A. ACADEMIC PROGRAMS.

23 \* \* \*

24 ~~[(C) LICENSURE.--IF A STUDENT ENROLLED IN THE RECOVERY HIGH~~  
25 ~~SCHOOL IS SUBJECT TO AN IEP, THE RECOVERY HIGH SCHOOL MUST BE~~  
26 ~~LICENSED TO PROVIDE ANY SERVICES REQUIRED TO BE PROVIDED UNDER~~  
27 ~~THE STUDENT'S IEP.]~~

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

29 SECTION 1517-D. QUARTERLY REPORTING.

30 ~~(A) AMENDMENT OF SYSTEM DUTY OF DEPARTMENT.--NO LATER THAN~~ <--

1 MARCH 31, 2024, THE DEPARTMENT SHALL AMEND THE DEPARTMENT'S  
2 SYSTEM TO ALLOW FOR COLLECTION OF INFORMATION REQUIRED UNDER  
3 THIS SUBSECTION.

4 (B) INFORMATION TO BE COLLECTED.--BEGINNING ON APRIL 1,  
5 2024, AN APPROVED PROVIDER SHALL PROVIDE TO THE DEPARTMENT:

6 (1) NOTICE AND INFORMATION ON AN ELIGIBLE STUDENT  
7 ENROLLED IN A PROGRAM-FUNDED SLOT IN THE APPROVED PROVIDER'S  
8 PROGRAM WITHIN 15 DAYS OF THE ENROLLMENT.

9 (2) NOTICE AND INFORMATION ON AN ELIGIBLE STUDENT'S  
10 REMOVAL FROM ENROLLMENT IN A PROGRAM-FUNDED SLOT IN THE  
11 APPROVED PROVIDER'S PROGRAM WITHIN 15 DAYS FROM THE REMOVAL  
12 OF ENROLLMENT.

13 (C) REPORT.--BY JULY 31, 2024, AND EACH QUARTER THEREAFTER,  
14 THE DEPARTMENT SHALL, FROM THE INFORMATION REPORTED BY THE  
15 APPROVED PROVIDERS UNDER SUBSECTION (B), REPORT TO THE  
16 CHAIRPERSON AND MINORITY CHAIRPERSON OF THE APPROPRIATIONS  
17 COMMITTEE OF THE SENATE AND THE CHAIRPERSON AND MINORITY  
18 CHAIRPERSON OF THE APPROPRIATIONS COMMITTEE OF THE HOUSE OF  
19 REPRESENTATIVES THE FOLLOWING:

20 (1) THE TOTAL NUMBER OF ELIGIBLE STUDENTS ENROLLED IN A  
21 PROGRAM-FUNDED SLOT FOR EACH APPROVED PROVIDER ORGANIZED BY  
22 MONTH IN THE PREVIOUS QUARTER.

23 (2) THE NUMBER OF ELIGIBLE STUDENTS NEWLY ENROLLED IN A  
24 PROGRAM-FUNDED SLOT FOR EACH APPROVED PROVIDER ORGANIZED BY  
25 MONTH IN THE PREVIOUS QUARTER.

26 (3) THE NUMBER OF ELIGIBLE STUDENTS REMOVED FROM  
27 ENROLLMENT IN A PROGRAM-FUNDED SLOT FOR EACH APPROVED  
28 PROVIDER ORGANIZED BY MONTH IN THE PREVIOUS QUARTER.

29 (4) THE NUMBER OF ELIGIBLE STUDENTS ENROLLED FOR 90% OF  
30 THE MONTH IN A PROGRAM-FUNDED SLOT FOR EACH APPROVED PROVIDER



1 ORGANIZED BY MONTH IN THE PREVIOUS QUARTER.

2 (5) A LISTING BY COUNTY OF THE TOTAL NUMBER OF REQUESTED  
3 PROGRAM-FUNDED SLOTS FOR STUDENTS FROM ELIGIBLE PROVIDERS IN  
4 THE COUNTY AND THE TOTAL NUMBER OF SLOTS APPROVED FOR ALL  
5 APPROVED PROVIDERS IN THE COUNTY FOR THE CURRENT FISCAL YEAR.

6 (6) OTHER INFORMATION THE DEPARTMENT DEEMS NECESSARY.

7 (D) DUTY OF SECRETARY.--BY THE JULY 31, 2024, REPORT AND  
8 EACH QUARTERLY REPORT THEREAFTER, THE SECRETARY OF EDUCATION  
9 SHALL MEET IN PERSON WITH THE CHAIRPERSON, OR A DESIGNEE, AND  
10 MINORITY CHAIRPERSON, OR A DESIGNEE, OF THE APPROPRIATIONS  
11 COMMITTEE OF THE SENATE AND THE CHAIRPERSON, OR A DESIGNEE, AND  
12 MINORITY CHAIRPERSON, OR A DESIGNEE, OF THE APPROPRIATIONS  
13 COMMITTEE OF THE HOUSE OF REPRESENTATIVES TO REPORT ON THE  
14 INFORMATION COLLECTED UNDER THIS SECTION. THE REQUIREMENT UNDER  
15 THIS SUBSECTION MAY BE WAIVED BY AGREEMENT IN WRITING OF THE  
16 CHAIRPERSON AND MINORITY CHAIRPERSON OF THE APPROPRIATIONS  
17 COMMITTEE OF THE SENATE AND THE CHAIRPERSON AND MINORITY  
18 CHAIRPERSON OF THE APPROPRIATIONS COMMITTEE OF THE HOUSE OF  
19 REPRESENTATIVES.

20 SECTION 26. SECTION 1607(B) OF THE ACT IS AMENDED BY ADDING  
21 A PARAGRAPH AND THE SECTION IS AMENDED BY ADDING A SUBSECTION TO  
22 READ:

23 SECTION 1607. ATTENDANCE IN OTHER DISTRICTS.--\* \* \*

24 (B) IF A THIRD CLASS SCHOOL DISTRICT OPERATING UNDER A  
25 SPECIAL BOARD OF CONTROL PURSUANT TO SECTION 692 HAS, WITH THE  
26 APPROVAL OF THE SECRETARY OF EDUCATION, CURTAILED ITS  
27 EDUCATIONAL PROGRAM BY ELIMINATING ITS HIGH SCHOOL AND HAS NOT  
28 ASSIGNED ITS HIGH SCHOOL PUPILS TO ANOTHER SCHOOL DISTRICT AND  
29 PROVIDED ADEQUATE TRANSPORTATION IN A MANNER UNDER SUBSECTION  
30 (A), THE SECRETARY SHALL HAVE THE FOLLOWING AUTHORITY:

1 \* \* \*

2 (5) FOR THE 2023-2024 SCHOOL YEAR AND EACH SCHOOL YEAR  
3 THEREAFTER, THE PER PUPIL TUITION RATE THAT A SCHOOL DISTRICT  
4 DESIGNATED UNDER PARAGRAPH (1) SHALL RECEIVE FOR EACH REASSIGNED  
5 STUDENT IN A REGULAR OR SPECIAL EDUCATION PROGRAM SHALL BE THE  
6 SUM OF:

7 (I) THE TUITION RATE ESTABLISHED FOR THE PRIOR SCHOOL YEAR;  
8 AND

9 (II) THE PRODUCT OF:

10 (A) THE TUITION RATE ESTABLISHED FOR THE PRIOR SCHOOL YEAR;  
11 AND

12 (B) THE AVERAGE OF THE MOST RECENT PERCENTAGE INCREASE IN  
13 THE STATEWIDE AVERAGE WEEKLY WAGE AND THE EMPLOYMENT COST INDEX  
14 AS DEFINED IN THE "TAXPAYER RELIEF ACT."

15 \* \* \*

16 (B.2) (1) A SCHOOL DISTRICT THAT ELIMINATED ITS HIGH SCHOOL  
17 UNDER SUBSECTION (B) SHALL NOT REOPEN ITS HIGH SCHOOL WITHOUT  
18 THE APPROVAL OF THE SECRETARY OF EDUCATION.

19 (1.1) THE DISTRESSED SCHOOL DISTRICT SUBJECT TO THIS SECTION  
20 MAY SUBMIT A PLAN TO REOPEN ITS HIGH SCHOOL TO THE SECRETARY OF  
21 EDUCATION.

22 (2) UPON RECEIPT OF A PLAN, THE SECRETARY OF EDUCATION MAY  
23 CONSIDER THE FOLLOWING INFORMATION AS A BASIS FOR APPROVAL:

24 (I) THE FINANCIAL SUSTAINABILITY OF THE PLAN TO REOPEN THE  
25 HIGH SCHOOL.

26 (II) THE DEMOGRAPHIC TRENDS OF THE DISTRESSED SCHOOL  
27 DISTRICT SUBJECT TO THIS SECTION.

28 (III) PROPOSED FACULTY LEVELS AND CURRICULUM OFFERINGS.

29 (IV) THE CONTENTS OF THE MOST RECENT REPORT REQUIRED UNDER  
30 SUBSECTION (I) (2).

1 (V) THE INVOLVEMENT OF THE SCHOOL DISTRICTS IDENTIFIED UNDER  
2 SUBSECTION (B) (1) IN THE PLAN TO REOPEN THE HIGH SCHOOL.

3 (VI) ANY OTHER INFORMATION AS DETERMINED BY THE SECRETARY OF  
4 EDUCATION.

5 \* \* \*

6 SECTION 27. SECTION 1913-A(B) (1.6) OF THE ACT IS AMENDED BY  
7 ADDING A SUBPARAGRAPH TO READ:

8 SECTION 1913-A. FINANCIAL PROGRAM; REIMBURSEMENT OF  
9 PAYMENTS.--\* \* \*

10 (B) \* \* \*

11 (1.6) FOR THE 2006-2007 FISCAL YEAR AND EACH FISCAL YEAR  
12 THEREAFTER, THE PAYMENT FOR A COMMUNITY COLLEGE SHALL CONSIST OF  
13 THE FOLLOWING:

14 \* \* \*

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

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

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

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

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

28 (II) DIVIDE THE PRODUCT IN SUBCLAUSE (I) BY THE SUM OF THE  
29 AUDITED FULL-TIME EQUIVALENT ENROLLMENT AS VERIFIED UNDER  
30 SUBSECTION (K.1) FOR THE MOST RECENT YEAR AVAILABLE FOR ALL

1 COMMUNITY COLLEGES THAT RECEIVE FUNDING UNDER SUBPARAGRAPHS (A)  
2 AND (B).

3 \* \* \*

4 SECTION 28. THE ACT IS AMENDED BY ADDING A SECTION TO READ:  
5 SECTION 2327. STATE AID FOR FISCAL YEAR 2023-2024.

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

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

14 (2) ALL FUNDS REMAINING AFTER THE DISTRIBUTION UNDER  
15 PARAGRAPH (1) SHALL BE DISTRIBUTED TO EACH LIBRARY UNDER THE  
16 FOLLOWING FORMULA:

17 (I) DIVIDE THE SUM OF THE AMOUNT OF FUNDING THE  
18 LIBRARY RECEIVED IN FISCAL YEAR 2022-2023 UNDER SECTION  
19 2326(1) AND PARAGRAPH (1) BY THE SUM OF THE TOTAL AMOUNT  
20 OF STATE AID PROVIDED UNDER SECTION 2326(1) AND PARAGRAPH  
21 (1).

22 (II) MULTIPLY THE QUOTIENT UNDER SUBPARAGRAPH (I) BY  
23 \$70,422,981.

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

28 (4) IF FUNDS APPROPRIATED FOR STATE AID TO LIBRARIES IN  
29 FISCAL YEAR 2023-2024 ARE LESS THAN FUNDS APPROPRIATED IN  
30 FISCAL YEAR 2002-2003, THE STATE LIBRARIAN MAY WAIVE

1 STANDARDS AS PRESCRIBED IN 24 PA.C.S. CH. 93 (RELATING TO  
2 PUBLIC LIBRARY CODE).

3 (5) EACH LIBRARY SYSTEM RECEIVING STATE AID UNDER THIS  
4 SUBSECTION MAY DISTRIBUTE THE LOCAL LIBRARY SHARE OF THAT AID  
5 IN A MANNER AS DETERMINED BY THE BOARD OF DIRECTORS OF THE  
6 LIBRARY SYSTEM.

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

11 (7) IN THE EVENT OF A CHANGE IN DISTRICT LIBRARY CENTER  
12 POPULATION PRIOR TO THE EFFECTIVE DATE OF THIS SECTION AS A  
13 RESULT OF:

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

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

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

25 SECTION 29. SECTIONS 2502.8(B) (1), 2509.1(C.2) (1) AND  
26 2510.3(A) (2) OF THE ACT, AMENDED JULY 8, 2022 (P.L.620, NO.55),  
27 ARE AMENDED TO READ:

28 SECTION 2502.8. PAYMENTS ON ACCOUNT OF PUPILS ENROLLED IN  
29 CAREER AND TECHNICAL CURRICULUMS.--\* \* \*

30 (B) FOR THE 1981-1982 SCHOOL YEAR THROUGH THE 1984-1985

1 SCHOOL YEAR, EACH SCHOOL DISTRICT SO ENTITLED SHALL BE PAID, IN  
2 ADDITION TO ANY OTHER SUBSIDY TO WHICH IT IS ENTITLED, AN AMOUNT  
3 ON ACCOUNT OF RESIDENT PUPILS ENROLLED IN CAREER AND TECHNICAL  
4 CURRICULUMS; FOR THE 1985-1986 SCHOOL YEAR THROUGH THE 1999-2000  
5 SCHOOL YEAR, EACH SCHOOL DISTRICT AND AREA CAREER AND TECHNICAL  
6 SCHOOL SHALL BE PAID AN AMOUNT ON ACCOUNT OF STUDENTS ENROLLED  
7 IN CAREER AND TECHNICAL CURRICULUMS; FOR THE 2000-2001 SCHOOL  
8 YEAR AND EACH SCHOOL YEAR THEREAFTER, EACH SCHOOL DISTRICT, AREA  
9 CAREER AND TECHNICAL SCHOOL AND CHARTER SCHOOL SHALL BE PAID AN  
10 AMOUNT ON ACCOUNT OF STUDENTS ENROLLED IN CAREER AND TECHNICAL  
11 CURRICULUMS, DETERMINED AS FOLLOWS:

12 (1) 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 TWENTY-ONE HUNDREDTHS (.21) AND  
16 THE NUMBER OF STUDENTS IN AVERAGE DAILY MEMBERSHIP IN SCHOOL  
17 DISTRICT AND CHARTER SCHOOL CAREER AND TECHNICAL CURRICULUMS BY  
18 SEVENTEEN HUNDREDTHS (.17); EXCEPT[, FOR] .

19 (I) FOR THE 2021-2022 SCHOOL YEAR [AND EACH FISCAL YEAR  
20 THEREAFTER], DETERMINE THE INCREASE IN THE WEIGHTED AVERAGE  
21 DAILY MEMBERSHIP BY MULTIPLYING THE NUMBER OF STUDENTS IN  
22 AVERAGE DAILY MEMBERSHIP IN CAREER AND TECHNICAL CURRICULUMS IN  
23 AREA CAREER AND TECHNICAL SCHOOLS BY TWO THOUSAND TWO HUNDRED  
24 SEVENTY-SIX TEN THOUSANDTHS (.2276) AND THE NUMBER OF STUDENTS  
25 IN AVERAGE DAILY MEMBERSHIP IN SCHOOL DISTRICT AND CHARTER  
26 SCHOOL CAREER AND TECHNICAL CURRICULUMS BY ONE THOUSAND EIGHT  
27 HUNDRED FORTY-FOUR TEN THOUSANDTHS (.1844) .

28 (II) FOR THE 2022-2023 SCHOOL YEAR AND EACH FISCAL YEAR  
29 THEREAFTER, DETERMINE THE INCREASE IN THE WEIGHTED AVERAGE DAILY  
30 MEMBERSHIP BY MULTIPLYING THE NUMBER OF STUDENTS IN AVERAGE

1 DAILY MEMBERSHIP IN CAREER AND TECHNICAL CURRICULUMS IN AREA  
2 CAREER AND TECHNICAL SCHOOLS BY TWO THOUSAND FOUR HUNDRED  
3 SEVENTY-TWO TEN THOUSANDTHS (.2472) AND THE NUMBER OF STUDENTS  
4 IN AVERAGE DAILY MEMBERSHIP IN SCHOOL DISTRICT AND CHARTER  
5 SCHOOL CAREER AND TECHNICAL CURRICULUMS BY TWO THOUSAND ELEVEN  
6 TEN THOUSANDTHS (.2011).

7 \* \* \*

8 SECTION 2509.1. PAYMENTS TO INTERMEDIATE UNITS.--\* \* \*

9 (C.2) THE FOLLOWING APPLY:

10 (1) FOR THE 2016-2017, 2017-2018, 2018-2019, 2019-2020,  
11 2020-2021, 2021-2022 [AND], 2022-2023 AND 2023-2024 SCHOOL  
12 YEARS, FIVE AND FIVE-TENTHS PERCENT (5.5%) OF THE STATE SPECIAL  
13 EDUCATION APPROPRIATION SHALL BE PAID TO INTERMEDIATE UNITS ON  
14 ACCOUNT OF SPECIAL EDUCATION SERVICES.

15 \* \* \*

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

19 \* \* \*

20 (2) FOR THE 2017-2018, 2018-2019, 2019-2020, 2020-2021,  
21 2021-2022 [AND], 2022-2023 AND 2023-2024 FISCAL YEARS, THE  
22 DEPARTMENT OF EDUCATION MAY UTILIZE UP TO SEVEN MILLION DOLLARS  
23 (\$7,000,000) OF UNDISTRIBUTED FUNDS NOT EXPENDED, ENCUMBERED OR  
24 COMMITTED FROM APPROPRIATIONS FOR GRANTS, SUBSIDIES AND  
25 ASSESSMENTS MADE TO THE DEPARTMENT OF EDUCATION TO ASSIST SCHOOL  
26 DISTRICTS DECLARED TO BE IN FINANCIAL RECOVERY STATUS UNDER  
27 SECTION 621-A, IDENTIFIED FOR FINANCIAL WATCH STATUS UNDER  
28 SECTION 611-A OR IDENTIFIED FOR FINANCIAL WATCH STATUS UNDER  
29 SECTION 694-A; EXCEPT THAT THE FUNDS MUST BE FIRST UTILIZED TO  
30 ACCOMPLISH THE PROVISIONS CONTAINED IN SECTION 695-A. THE FUNDS

1 SHALL BE TRANSFERRED BY THE SECRETARY OF THE BUDGET TO A  
2 RESTRICTED ACCOUNT AS NECESSARY TO MAKE PAYMENTS UNDER THIS  
3 SECTION AND, WHEN TRANSFERRED, ARE HEREBY APPROPRIATED TO CARRY  
4 OUT THE PROVISIONS OF THIS SECTION.

5 \* \* \*

6 SECTION 30. SECTION 2599.6 OF THE ACT IS AMENDED BY ADDING A  
7 SUBSECTION TO READ:

8 SECTION 2599.6. READY-TO-LEARN BLOCK GRANT.--\* \* \*

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

14 \* \* \*

15 SECTION 31. SECTION 2599.7(B), (C) AND (D) OF THE ACT ARE  
16 AMENDED TO READ:

17 SECTION 2599.7. PAYMENT OF REQUIRED CONTRIBUTION FOR PUBLIC  
18 SCHOOL EMPLOYEES' SOCIAL SECURITY.--\* \* \*

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

23 (C) FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, THROUGH THE  
24 FISCAL YEAR ENDING JUNE 30, 2023, IF INSUFFICIENT FUNDS ARE  
25 AVAILABLE FOR PAYMENT OF THE AMOUNTS CALCULATED UNDER 24 PA.C.S.  
26 § 8329 FOR SCHOOL DISTRICTS, THE DEPARTMENT OF EDUCATION SHALL  
27 NOTIFY THE GOVERNOR, THE CHAIRPERSON AND MINORITY CHAIRPERSON OF  
28 THE APPROPRIATIONS COMMITTEE OF THE SENATE AND THE CHAIRPERSON  
29 AND MINORITY CHAIRPERSON OF THE APPROPRIATIONS COMMITTEE OF THE  
30 HOUSE OF REPRESENTATIVES OF THE AMOUNT OF THE INSUFFICIENCY. AN



1 AMOUNT EQUAL TO THE INSUFFICIENCY MAY ONLY BE PAID TO SCHOOL  
2 DISTRICTS FROM A SUPPLEMENTAL APPROPRIATION IN THE GENERAL  
3 APPROPRIATIONS ACT.

4 (D) FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, THROUGH THE  
5 FISCAL YEAR ENDING JUNE 30, 2023, IF THE AMOUNT CALCULATED FOR  
6 PAYMENTS TO SCHOOL DISTRICTS UNDER 24 PA.C.S. § 8329 EXCEEDS THE  
7 AMOUNT NECESSARY, THE DEPARTMENT OF EDUCATION SHALL NOTIFY THE  
8 GOVERNOR, THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE  
9 APPROPRIATIONS COMMITTEE OF THE SENATE AND THE CHAIRPERSON AND  
10 MINORITY CHAIRPERSON OF THE APPROPRIATIONS COMMITTEE OF THE  
11 HOUSE OF REPRESENTATIVES OF THE AMOUNT OF THE EXCESS. AN AMOUNT  
12 EQUAL TO THE EXCESS SHALL BE DISTRIBUTED TO SCHOOL DISTRICTS AS  
13 A SUPPLEMENTAL PAYMENT CALCULATED UNDER THE FORMULA CONTAINED IN  
14 SECTION 2502.53.

15 \* \* \*

16 SECTION 32. SECTION 2608-J OF THE ACT, AMENDED JULY 8, 2022 <--  
17 (P.L.620, NO.55), IS AMENDED TO READ:  
18 SECTION 2608-J. APPLICABILITY.

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

22 SECTION ~~32~~ 33. THIS ACT SHALL TAKE EFFECT AS FOLLOWS: <--

23 (1) THE ADDITION OF ARTICLE XII-B OF THE ACT SHALL TAKE  
24 EFFECT IN 60 DAYS.

25 (2) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT  
26 IMMEDIATELY.