

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 AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, NOVEMBER 14, 2023

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," 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 ACADEMIC
13 PROGRAMS; IN EARLY LEARNING PROGRAMS, PROVIDING FOR QUARTERLY
14 REPORTING; IN HIGH SCHOOLS, FURTHER PROVIDING FOR ATTENDANCE
15 IN OTHER DISTRICTS; IN COMMUNITY COLLEGES, FURTHER PROVIDING
16 FOR FINANCIAL PROGRAM AND REIMBURSEMENT OF PAYMENTS; IN
17 FUNDING FOR PUBLIC LIBRARIES, PROVIDING FOR STATE AID FOR
18 FISCAL YEAR 2023-2024; IN REIMBURSEMENTS BY COMMONWEALTH AND
19 BETWEEN SCHOOL DISTRICTS, FURTHER PROVIDING FOR PAYMENTS ON
20 ACCOUNT OF PUPILS ENROLLED IN CAREER AND TECHNICAL
21 CURRICULUMS, FOR PAYMENTS TO INTERMEDIATE UNITS, FOR
22 ASSISTANCE TO SCHOOL DISTRICTS DECLARED TO BE IN FINANCIAL
23 RECOVERY STATUS OR IDENTIFIED FOR FINANCIAL WATCH STATUS, FOR
24 READY-TO-LEARN BLOCK GRANT AND FOR PAYMENT OF REQUIRED
25 CONTRIBUTION FOR PUBLIC SCHOOL EMPLOYEES' SOCIAL SECURITY;
26 AND MAKING AN EDITORIAL CHANGE.

27 The General Assembly of the Commonwealth of Pennsylvania
28 hereby enacts as follows:

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

32 SECTION 1. SECTIONS 123(K) (2) AND 129 OF THE ACT OF MARCH <--
33 10, 1949 (P.L.30, NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF
34 1949, ARE AMENDED TO READ:

35 SECTION 123. BASIC EDUCATION FUNDING COMMISSION.--* * *

36 (K) * * *

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

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42 SECTION 129. SPECIAL PROVISIONS APPLICABLE TO LIMITED SCHOOL
43 YEARS.--NOTWITHSTANDING ANY PROVISION OF LAW OR REGULATION TO

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

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

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

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

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

30 (3) BE SEARCHABLE BY, AT A MINIMUM, COUNTY, INTERMEDIATE

1 UNIT, SCHOOL ENTITY, GRADE LEVEL, EMPLOYE TYPE AND ACADEMIC
2 CONTENT AREA.

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

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

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

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

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

15 "EMPLOYE." THE FOLLOWING:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

30 (1) EDUCATOR SUPPLY DATA, INCLUDING EDUCATOR PREPARATION

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

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

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

13 (I) COMPLETE THE PROGRAM.

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

16 (III) RECEIVE CERTIFICATION.

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

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

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

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

27 (C) NO LATER THAN DECEMBER 15, 2023, AND EACH DECEMBER 15
28 THEREAFTER, THE DEPARTMENT, IN CONSULTATION WITH THE DEPARTMENT
29 OF LABOR AND INDUSTRY, SHALL ISSUE A REPORT TO THE GOVERNOR AND
30 GENERAL ASSEMBLY ON THE EDUCATOR WORKFORCE IN THIS COMMONWEALTH.

1 THE REPORT SHALL BE POSTED ON THE DEPARTMENT'S PUBLICLY
2 ACCESSIBLE INTERNET WEBSITE. THE REPORT SHALL INCLUDE
3 INFORMATION ON:

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

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

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

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

16 (D) 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, CYBER CHARTER SCHOOL,
22 CHARTER SCHOOL, REGIONAL CHARTER SCHOOL, AREA CAREER AND
23 TECHNICAL SCHOOL OR INTERMEDIATE UNIT.

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

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

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

5 * * *

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

9 SECTION 923.3-A. SCHOOL SAFETY AND SECURITY ENHANCEMENTS.-*

10 * *

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

12 * * *

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

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

1 INTERMEDIATE UNIT TO THE NONPUBLIC SCHOOL.

2 * * *

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

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

10 * * *

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

26 (3.1) DURING AN INDIVIDUAL'S STUDENT TEACHER PROGRAM
27 REQUIRED UNDER 22 PA. CODE § 354.25(F) (RELATING TO PREPARATION
28 PROGRAM CURRICULUM) FOR EDUCATOR PREPARATION PROGRAMS, THE
29 INDIVIDUAL MAY SERVE AS A SUBSTITUTE TEACHER FOR NO MORE THAN
30 TEN (10) DAYS IN THE INDIVIDUAL'S ASSIGNED CLASSROOM OR

1 CLASSROOMS OR FOR OTHER TEACHERS WITHIN THE BUILDING OR
2 BUILDINGS IN WHICH THE INDIVIDUAL HAS BEEN PLACED AS A STUDENT
3 TEACHER.

4 * * *

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

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

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

26 [SECTION 1218. PERMIT FOR CLASSROOM MONITORS.-- (A) A SCHOOL
27 ENTITY MAY REQUEST THAT THE DEPARTMENT ISSUE A CLASSROOM MONITOR
28 PERMIT TO ALLOW AN INDIVIDUAL TO DELIVER TO STUDENTS ASSIGNMENTS
29 THAT ARE PREPLANNED BY A PROFESSIONAL EMPLOYE OR TEMPORARY
30 PROFESSIONAL EMPLOYE. A CLASSROOM MONITOR MAY NOT PLAN LESSONS

1 OR CREATE OR GRADE STUDENT WORK.

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

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

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

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

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

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

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

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

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

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

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

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

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

23 SECTION 6. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

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

30 (B) AN INDIVIDUAL RECEIVING A PERMIT UNDER SUBSECTION (A)

1 SHALL SATISFY ALL OF THE FOLLOWING:

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

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

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

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

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

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

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

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

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

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

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

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

22 ARTICLE XII-B

23 INTERSTATE TEACHER MOBILITY COMPACT

24 Section 1201-B. Scope of article.

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

27 Section 1202-B. Authority to execute compact.

28 The Governor of Pennsylvania, on behalf of this State, is
29 authorized to execute a compact in substantially the following
30 form with any one or more of the states of the United States and

1 the General Assembly hereby signifies in advance its approval
2 and ratification of the compact:

3 INTERSTATE TEACHER MOBILITY COMPACT

4 ARTICLE I- PURPOSE

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

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

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

16 B. Support the relocation of Eligible Military Spouses;

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

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

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

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

27 ARTICLE II- DEFINITIONS

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

30 A. "Active Military Member" - means any person with full-time

1 duty status in the armed forces of the United States, including
2 members of the National Guard and Reserve.

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

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

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

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

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

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

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

27 I. "Eligible Military Spouse" - means the spouse of any
28 individual in full-time duty status in the active armed forces
29 of the United States including members of the National Guard and
30 Reserve moving as a result of a military mission or military

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

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

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

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

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

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

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

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

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

27 R. "Teacher" - means an individual who currently holds an
28 authorization from a Member State that forms the basis for
29 employment in the P-12 public schools of the State to provide
30 instruction in a specific subject area, grade level, or student

1 population.

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

8 ARTICLE III- LICENSURE UNDER THE COMPACT

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

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

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

1 License, the Receiving State shall grant one or more
2 Unencumbered License(s) that, in the Receiving State's sole
3 discretion, are equivalent to the license(s) held by the Teacher
4 in any other Member State.

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

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

24 ARTICLE IV- LICENSURE NOT UNDER THE COMPACT

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

29 B. When a Teacher is required to renew a license received
30 pursuant to this Compact, the State granting such a license may

1 require the Teacher to complete State Specific Requirements as a
2 condition of licensure renewal or advancement in that State.

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

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

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

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

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

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

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

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

30 B. A Teacher eligible to receive a license under this Compact

1 shall, unless otherwise provided for herein:

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

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

9 ARTICLE VI- DISCIPLINE / ADVERSE ACTIONS

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

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

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

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

30 1. The Commission is a joint interstate governmental

1 agency comprised of States that have enacted the Interstate
2 Teacher Mobility Compact.

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

5 B. Membership, Voting, and Meetings

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

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

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

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

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

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

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

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

30 1. Establish a Code of Ethics for the Commission.

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

1 matters.

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

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

9 13. Establish a budget and make expenditures.

10 14. Borrow money.

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

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

16 17. Establish and elect an Executive Committee.

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

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

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

29 D. The Executive Committee of the Interstate Teacher Mobility
30 Compact Commission.

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

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

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

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

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

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

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

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

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

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

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

27 c. Prepare and recommend the budget.

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

30 e. Monitor compliance of Member States and provide

1 reports to the Commission.

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

4 6. Meetings of the Commission

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

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

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

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

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

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

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

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

29 vii. Disclosure of information of a personal
30 nature where disclosure would constitute a clearly

1 unwarranted invasion of personal privacy.

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

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

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

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

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

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

27 7. Financing of the Commission

28 a. The Commission shall pay, or provide for the
29 payment of, the reasonable expenses of its establishment,
30 organization, and ongoing activities.

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

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

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

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

26 8. Qualified Immunity, Defense, and Indemnification

27 a. The members, officers, executive director,
28 employees and representatives of the Commission shall be
29 immune from suit and liability, either personally or in
30 their official capacity, for any claim for damage to or

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

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

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

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

9 ARTICLE VIII- RULEMAKING

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

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

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

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

30 E. Upon determination that an emergency exists, the

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

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

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

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

14 4. Protect public health and safety.

15 ARTICLE IX- FACILITATING INFORMATION EXCHANGE

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

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

25 ARTICLE X- OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT

26 A. Oversight

27 1. The executive and judicial branches of State
28 government in each Member State shall enforce this Compact
29 and take all actions necessary and appropriate to effectuate
30 the Compact's purposes and intent. The provisions of this

1 Compact shall have standing as statutory law.

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

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

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

26 B. Default, Technical Assistance, and Termination

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

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

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

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

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

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

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

29 G. The defaulting State may appeal the action of the
30 Commission by petitioning the U.S. District Court for the

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

5 H. Dispute Resolution

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

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

12 I. Enforcement

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

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

29 ARTICLE XI- EFFECTUATION, WITHDRAWAL, AND AMENDMENT

30 A. The Compact shall come into effect on the date on which

1 the Compact statute is enacted into law in the tenth Member
2 State.

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

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

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

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

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

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

29 1. A Member State's withdrawal shall not take effect
30 until six (6) months after enactment of the repealing

1 statute.

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

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

10 ARTICLE XII- CONSTRUCTION AND SEVERABILITY

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

25 ARTICLE XIII- CONSISTENT EFFECT AND CONFLICT WITH OTHER STATE

26 LAWS

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

30 B. Any laws, statutes, regulations, or other legal

1 requirements in a Member State in conflict with the Compact are
2 superseded to the extent of the conflict.

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

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

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

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

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

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

1 other duties and responsibilities of his office or employment.

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

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3 ARTICLE XII-C

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4 EDUCATOR PIPELINE SUPPORT GRANT PROGRAM

5 SECTION 1201-C. SCOPE OF ARTICLE.

6 THIS ARTICLE RELATES TO EDUCATOR WORKFORCE.

7 SECTION 1202-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 "AGENCY." THE PENNSYLVANIA HIGHER EDUCATION ASSISTANCE
12 AGENCY.

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

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

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

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

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

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

28 "INSTITUTION OF HIGHER EDUCATION." A COLLEGE OR UNIVERSITY
29 THAT OFFERS A PROGRAM APPROVED BY THE DEPARTMENT TO PREPARE
30 PROFESSIONAL PERSONNEL FOR EMPLOYMENT IN A SCHOOL ENTITY IN

1 ACCORDANCE WITH 22 PA. CODE CH. 49 (RELATING TO CERTIFICATION OF
2 PROFESSIONAL PERSONNEL).

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

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

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

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

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

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

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

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

30 (D) (RESERVED).

1 (E) GRANT AMOUNT.--

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

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

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

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

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

22 (G) FUNDING.--

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

27 (2) IF THE AGENCY DETERMINES THAT THE DEMAND FOR THE
28 PROGRAM EXCEEDS THE AVAILABLE RESOURCES, THE AGENCY MAY
29 REQUEST ADDITIONAL FUNDING AS PART OF THE AGENCY'S BUDGET
30 REQUEST FOR THE NEXT FISCAL YEAR IN ACCORDANCE WITH SECTION

1 610 OF THE ACT OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS
2 THE ADMINISTRATIVE CODE OF 1929.

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

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

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

27 (K) ADMINISTRATIVE FEE.--THE AGENCY MAY TAKE A REASONABLE
28 ADMINISTRATIVE FEE FOR DIRECT COSTS ASSOCIATED WITH THE
29 IMPLEMENTATION, ADMINISTRATION AND SERVICING OF THE PROGRAM. THE
30 FEE SHALL BE TAKEN FROM THE FUNDING RECEIVED UNDER SUBSECTION

1 (G) AND MAY NOT EXCEED 5%.

2 SECTION 1204-C. ELIGIBILITY.

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

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

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

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

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

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

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

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

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

1 SECTION 1205-C. REPORT.

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

8 (1) THE NUMBER OF APPLICANTS.

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

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

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

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

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

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

21 (8) ANY OTHER INFORMATION THE AGENCY DETERMINES.

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

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

29 (1) A SCHOOL ENTITY OR NONPUBLIC SCHOOL WHO IS
30 INTERESTED IN HOSTING A STUDENT TEACHER MAY SUBMIT TO THE

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

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

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

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

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

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

29 (B) (RESERVED).

30 SECTION 1207-C. MISCELLANEOUS PROVISIONS.

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

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

14 SECTION 8. ARTICLE XIII-A HEADING AND SECTIONS 1301-A AND
15 1302-A OF THE ACT ARE AMENDED TO READ:

16 ARTICLE XIII-A.
17 [SAFE SCHOOLS] STUDENT SUPPORTS.

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

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

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

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

28 "SCHOOL-BASED DIVERSION PROGRAMS" SHALL MEAN PROGRAMS [THAT,
29 IN PARTNERSHIP WITH OTHER STAKEHOLDERS, DIVERT YOUTH OUT OF THE
30 JUVENILE JUSTICE SYSTEM.] AND INTERVENTIONS DESIGNED TO REDIRECT

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

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

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

24 ["STUDENT WITH A DISABILITY" SHALL MEAN A STUDENT WHO MEETS
25 THE DEFINITION OF "CHILD WITH A DISABILITY" UNDER THE
26 INDIVIDUALS WITH DISABILITIES EDUCATION ACT (PUBLIC LAW 91-230,
27 20 U.S.C. § 1400 ET SEQ.) OR WHO MEETS THE DEFINITION OF A
28 "HANDICAPPED PERSON" UNDER SECTION 504 OF THE REHABILITATION ACT
29 OF 1973 (PUBLIC LAW 93-112, 29 U.S.C. § 794) AND ITS
30 IMPLEMENTING REGULATIONS (34 C.F.R. § 104.3(J)). THE TERM

1 INCLUDES A STUDENT FOR WHOM AN EVALUATION IS PENDING UNDER
2 EITHER THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT OR
3 REHABILITATION ACT.]

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

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

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

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

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

19 (2.1) TO DIRECT ALL SCHOOL ENTITIES TO SUBMIT ANNUAL SCHOOL
20 VIOLENCE STATISTICS AND REPORTS TO THE OFFICE NO LATER THAN JULY
21 31 OF EACH YEAR.

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

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

- 1 (II) SCHOOL-BASED DIVERSION PROGRAMS.
- 2 (III) CLASSROOM MANAGEMENT.
- 3 (IV) STUDENT DISCIPLINE.
- 4 (V) STUDENT CODES OF CONDUCT.
- 5 (VI) TRAINING TO ASSESS RISK FACTORS THAT INCREASE THE
6 LIKELIHOOD OF PROBLEM BEHAVIORS AMONG STUDENTS.
- 7 (VII) CONFLICT RESOLUTION AND DISPUTE MANAGEMENT.
- 8 (VIII) STAFF TRAINING PROGRAMS IN THE USE OF POSITIVE
9 BEHAVIOR SUPPORTS, DE-ESCALATION TECHNIQUES, APPROPRIATE
10 RESPONSES TO STUDENT BEHAVIOR THAT MAY REQUIRE IMMEDIATE
11 INTERVENTION AND TRAUMA-INFORMED TREATMENT FOR MENTAL HEALTH
12 PROVIDERS IN SCHOOLS.
- 13 (IX) RESEARCH-BASED VIOLENCE PREVENTION PROGRAMS THAT
14 ADDRESS RISK FACTORS TO REDUCE INCIDENTS OF PROBLEM BEHAVIORS
15 AMONG STUDENTS, INCLUDING, BUT NOT LIMITED TO, MENTAL HEALTH
16 EARLY INTERVENTION, SELF-CARE, BULLYING AND SUICIDE AWARENESS
17 AND PREVENTION.
- 18 (X) RISK ASSESSMENT, SAFETY-RELATED, VIOLENCE PREVENTION
19 CURRICULA, INCLUDING DATING VIOLENCE CURRICULA, RESTORATIVE
20 JUSTICE STRATEGIES, MENTAL HEALTH EARLY INTERVENTION, SELF-CARE
21 AND SUICIDE AWARENESS AND PREVENTION CURRICULA.
- 22 (XI) EVIDENCE-BASED SCREENINGS FOR ADVERSE CHILDHOOD
23 EXPERIENCES THAT ARE PROVEN TO BE DETERMINANTS OF PHYSICAL,
24 SOCIAL AND BEHAVIORAL HEALTH AND PROVIDE TRAUMA-INFORMED
25 COUNSELING SERVICES AS NECESSARY TO STUDENTS BASED UPON THE
26 SCREENING RESULTS.
- 27 (XII) TRAUMA-INFORMED APPROACHES THAT INCREASE STUDENT AND
28 SCHOOL EMPLOYEE ACCESS TO QUALITY TRAUMA SUPPORT SERVICES AND
29 BEHAVIORAL HEALTH CARE.
- 30 (2) TO PROVIDE DIRECT TRAINING TO SCHOOL EMPLOYEES, PARENTS,

1 LAW ENFORCEMENT OFFICIALS AND COMMUNITIES ON EFFECTIVE MEASURES
2 TO [PREVENT AND COMBAT SCHOOL VIOLENCE.]

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

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

12 [(4.1)] (4) TO VERIFY THE EXISTENCE OF CORRECTIVE ACTION
13 PLANS TO REDUCE INCIDENTS OF VIOLENCE AS REQUIRED IN THE [NO
14 CHILD LEFT BEHIND ACT OF 2001 (PUBLIC LAW 107-110, 115 STAT.
15 1425).] EVERY STUDENT SUCCEEDS ACT (PUBLIC LAW 114-95, 129 STAT.
16 1802).

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

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

27 (7) TO PUBLISH AND POST ON THE DEPARTMENT OF EDUCATION'S
28 INTERNET WEBSITE A SCHOOL SAFETY ANNUAL REPORT NO LATER THAN
29 NOVEMBER 1 OF EACH CALENDAR YEAR OUTLINING ALL INCIDENTS
30 REQUIRED TO BE REPORTED UNDER SECTION 1303-A AND ANY SCHOOL

1 DISTRICT THAT FAILED TO SUBMIT A REPORT UNDER SECTION 1303-A.
2 (8) TO ESTABLISH CRITERIA, IN CONSULTATION WITH THE
3 PENNSYLVANIA STATE POLICE, FOR CERTIFYING APPROVED VENDORS TO
4 PROVIDE SCHOOL POLICE OFFICERS TO NONPUBLIC SCHOOLS FOR THE
5 PURPOSES OF AWARDING GRANTS UNDER SUBSECTION (C.1) (3).

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

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

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

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

21 (1.1) SCHOOL-WIDE POSITIVE BEHAVIOR SUPPORT THAT INCLUDES
22 PRIMARY OR UNIVERSAL, SECONDARY AND TERTIARY SUPPORTS AND
23 INTERVENTIONS IN SCHOOL ENTITIES.

24 (1.2) SCHOOL-BASED DIVERSION PROGRAMS.

25 (2) PEER HELPERS PROGRAMS.

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

29 (4) CLASSROOM MANAGEMENT.

30 (5) STUDENT CODES OF CONDUCT.

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

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

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

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

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

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

29 (13) ALTERNATIVE EDUCATION PROGRAMS PROVIDED FOR IN ARTICLE
30 XIX-C.

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

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

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

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

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

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

30 (3) NONPUBLIC SCHOOLS ARE AUTHORIZED TO APPLY TO THE OFFICE

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

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

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

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

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

20 (III) AN ESTIMATED BUDGET;

21 (IV) METHODS FOR MEASURING OUTCOMES; AND

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

23 (2) THE OFFICE SHALL:

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

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

30 (III) TO THE GREATEST EXTENT POSSIBLE, ENSURE THAT GRANT

1 FUNDING IS GEOGRAPHICALLY DISPERSED TO SCHOOL ENTITIES AND
2 MUNICIPALITIES THROUGHOUT THIS COMMONWEALTH.

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

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

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

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

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

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

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

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

1 INDEMNITY) .

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

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

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

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

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

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

29 (E.1) ANY GRANT FUNDING ALLOCATED UNDER SUBSECTION (C.1)
30 ABOVE THE AMOUNT ALLOCATED IN FISCAL YEAR 2017-2018 MAY BE

1 PRIORITIZED FOR NONPUBLIC SCHOOLS.

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

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

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

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

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

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

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

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

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

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

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

30 (3) THE ADVISORY COMMITTEE SHALL BE CONVENED NO LATER THAN

1 SIXTY (60) DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION AND
2 SHALL MEET REGULARLY TO FULFILL THE REQUIREMENTS OF THIS
3 SECTION.

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

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

22 (1) AGE OR GRADE OF STUDENT.

23 (2) NAME AND ADDRESS OF SCHOOL.

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

29 (3.1) RACE OF STUDENT.

30 (3.2) WHETHER THE STUDENT HAS AN INDIVIDUALIZED EDUCATION

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

4 (4) SANCTION IMPOSED BY THE SCHOOL.

5 (4.1) A LIST OF CRIMINAL OFFENSES WHICH SHALL, AT A MINIMUM,
6 INCLUDE:

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

9 SECTION 908 (RELATING TO PROHIBITED OFFENSIVE WEAPONS) .

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

12 CHAPTER 25 (RELATING TO CRIMINAL HOMICIDE) .

13 SECTION 2702 (RELATING TO AGGRAVATED ASSAULT) .

14 SECTION 2709.1 (RELATING TO STALKING) .

15 SECTION 2901 (RELATING TO KIDNAPPING) .

16 SECTION 2902 (RELATING TO UNLAWFUL RESTRAINT) .

17 SECTION 3121 (RELATING TO RAPE) .

18 SECTION 3122.1 (RELATING TO STATUTORY SEXUAL ASSAULT) .

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

21 SECTION 3124.1 (RELATING TO SEXUAL ASSAULT) .

22 SECTION 3124.2 (RELATING TO INSTITUTIONAL SEXUAL ASSAULT) .

23 SECTION 3125 (RELATING TO AGGRAVATED INDECENT ASSAULT) .

24 SECTION 3126 (RELATING TO INDECENT ASSAULT) .

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

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

28 SECTION 3502 (RELATING TO BURGLARY) .

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

1 SECTION 5501 (RELATING TO RIOT) .

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

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

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

5 DRUG, DEVICE AND COSMETIC ACT."

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

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

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

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

10 (4.2) THE FOLLOWING OFFENSES UNDER 18 PA.C.S., AND ANY

11 ATTEMPT, SOLICITATION OR CONSPIRACY TO COMMIT ANY OF THESE

12 OFFENSES:

13 SECTION 2701 (RELATING TO SIMPLE ASSAULT) .

14 SECTION 2705 (RELATING TO RECKLESSLY ENDANGERING ANOTHER

15 PERSON) .

16 SECTION 2706 (RELATING TO TERRORISTIC THREATS) .

17 SECTION 2709 (RELATING TO HARASSMENT) .

18 SECTION 3127 (RELATING TO INDECENT EXPOSURE) .

19 SECTION 3307 (RELATING TO INSTITUTIONAL VANDALISM) WHEN THE

20 PENALTY IS A MISDEMEANOR OF THE SECOND DEGREE .

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

22 (RELATING TO CRIMINAL TRESPASS) .

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

24 SECTION 5502 (RELATING TO FAILURE OF DISORDERLY PERSONS TO

25 DISPERSE UPON OFFICIAL ORDER) .

26 SECTION 5503 (RELATING TO DISORDERLY CONDUCT) .

27 SECTION 6305 (RELATING TO SALE OF TOBACCO) .

28 SECTION 6306.1 (RELATING TO USE OF TOBACCO IN SCHOOLS

29 PROHIBITED) .

30 SECTION 6308 (RELATING TO PURCHASE, CONSUMPTION, POSSESSION

1 OR TRANSPORTATION OF LIQUOR OR MALT OR BREWED BEVERAGES) .

2 (5) NOTIFICATION OF LAW ENFORCEMENT.

3 (6) REMEDIAL PROGRAMS INVOLVED.

4 (7) PARENTAL INVOLVEMENT REQUIRED.

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

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

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

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

29 (3) PRIOR TO SUBMITTING THE REPORT REQUIRED UNDER SUBSECTION
30 (B), THE CHIEF SCHOOL ADMINISTRATOR AND THE POLICE DEPARTMENT

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

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

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

30 (1) THE PROCEDURE FOR POLICE DEPARTMENT REVIEW OF THE ANNUAL

1 REPORT REQUIRED UNDER SUBSECTION (B) PRIOR TO THE CHIEF SCHOOL
2 ADMINISTRATOR FILING THE REPORT REQUIRED UNDER SUBSECTION (B)
3 WITH THE OFFICE.

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

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

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

19 (E) (1) NOTWITHSTANDING ANY PROVISION OF LAW TO THE
20 CONTRARY, THE DEPARTMENT OF EDUCATION MAY INITIATE DISCIPLINARY
21 ACTION BEFORE THE PROFESSIONAL STANDARDS AND PRACTICES
22 COMMISSION PURSUANT TO THE ACT OF DECEMBER 12, 1973 (P.L.397,
23 NO.141), KNOWN AS THE "PROFESSIONAL EDUCATOR DISCIPLINE ACT,"
24 AGAINST A CHIEF SCHOOL ADMINISTRATOR OR PRINCIPAL OF A SCHOOL
25 ENTITY WHO INTENTIONALLY FAILS TO SUBMIT THE REPORT AS REQUIRED
26 UNDER SUBSECTION (B) OR ENTER INTO THE MEMORANDUM OF
27 UNDERSTANDING WITH THE POLICE DEPARTMENT WITH JURISDICTION OVER
28 THE RELEVANT SCHOOL PROPERTY, REPORT AN INCIDENT INVOLVING AN
29 ACT OF VIOLENCE, POSSESSION OF A WEAPON OR AN OFFENSE LISTED
30 UNDER SUBSECTION (B) (4.1) THAT OCCURS ON SCHOOL PROPERTY TO A

1 POLICE DEPARTMENT OR SUBMIT A COPY OF THE MEMORANDUM OF
2 UNDERSTANDING TO THE OFFICE AS REQUIRED UNDER SUBSECTION (C) OR
3 WHO INTENTIONALLY FALSIFIES A REPORT SUBMITTED AS REQUIRED UNDER
4 THIS SECTION.

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

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

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

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

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

29 (C) EACH SCHOOL ENTITY SHALL REVIEW ITS POLICY EVERY THREE
30 (3) YEARS AND ANNUALLY PROVIDE THE [OFFICE] DEPARTMENT OF

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

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

16 * * *

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

30 SECTION 11. SECTIONS 1310-A, 1311-A, 1312-A AND 1313-A OF

1 THE ACT ARE REPEALED:

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

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

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

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

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

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

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

1 MEMORANDUM OF UNDERSTANDING.

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

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

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

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

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

30 (7) TO REVIEW AND ANALYZE COURT DECISIONS APPLICABLE TO THE

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

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

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

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

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

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

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

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

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

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

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

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

27 (D) UPON DISCOVERY OF THE COMMISSION OF AN ACT OF VIOLENCE
28 UPON A STUDENT, THE SCHOOL DISTRICT OF THE FIRST CLASS SHALL
29 IMMEDIATELY NOTIFY THE VICTIM'S PARENT OR GUARDIAN OF THE SAFE
30 SCHOOLS ADVOCATE. THE FORM OF THIS NOTICE SHALL BE DEVELOPED BY

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

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

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

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

26 (H) AS USED IN THIS SECTION:

27 "ACT OF VIOLENCE" SHALL MEAN THE POSSESSION OF A WEAPON ON
28 SCHOOL PROPERTY OR AN OFFENSE, INCLUDING THE ATTEMPT,
29 SOLICITATION OR CONSPIRACY TO COMMIT THE OFFENSE, UNDER ANY OF
30 THE FOLLOWING PROVISIONS OF 18 PA.C.S. (RELATING TO CRIMES AND

1 OFFENSES) :

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

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

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

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

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

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

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

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

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

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

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

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

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

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

27 (B) THE OFFICE OF GENERAL COUNSEL SHALL HAVE STANDING TO
28 BRING AN ACTION ON BEHALF OF A VICTIM OR THE PARENT OR GUARDIAN
29 OF A VICTIM OF AN ACT OF VIOLENCE IN A SCHOOL IN A SCHOOL
30 DISTRICT OF THE FIRST CLASS TO MODIFY, CLARIFY OR ELIMINATE A

1 CONSENT DECREE THAT IS RELATED TO DISCIPLINE IN THE DISTRICT IF,
2 IN CONSULTATION WITH THE ADVOCATE, THE OFFICE OF GENERAL COUNSEL
3 BELIEVES THAT THE ACTION IS IN THE BEST INTERESTS OF THE
4 STUDENTS OF THE SCHOOL DISTRICT.

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

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

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

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

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

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

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

27 SECTION 1312-A. ENFORCEMENT.--(A) (1) IF THE SCHOOL
28 DISTRICT OF THE FIRST CLASS FAILS TO COMPLY WITH REQUIREMENTS TO
29 PROVIDE INFORMATION TO THE SAFE SCHOOLS ADVOCATE UNDER SECTION
30 1310-A, THE ADVOCATE SHALL PROVIDE DOCUMENTATION OF THE FAILURE

1 TO THE SECRETARY OF EDUCATION AND THE PENNSYLVANIA COMMISSION ON
2 CRIME AND DELINQUENCY.

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

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

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

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

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

26 SECTION 1301-B. DEFINITIONS.

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

30 "CHIEF SCHOOL ADMINISTRATOR." THE SUPERINTENDENT OF A PUBLIC

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

4 * * *

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

7 * * *

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

9 * * *

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

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

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

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

28 * * *

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

1 * * *

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

3 * * *

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

8 * * *

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

15 * * *

16 (J) EXECUTIVE COMMITTEE.--

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

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

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

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

28 (IV) UTILIZATION OF BEST PRACTICES AMONG SCHOOL
29 ENTITIES RELATED TO THREAT ASSESSMENT, BYSTANDER
30 INTERVENTION AND REPORTING, CRISIS INTERVENTION AND

1 EMERGENCY PREPAREDNESS AND RESPONSE; AND

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

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

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

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

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

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

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

30 (6) THE EXECUTIVE COMMITTEE MAY ADD OTHER MEMBERS OF THE

1 COMMITTEE AS NECESSARY.

2 SECTION 14. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

3 SECTION 1302.1-B. DUTIES OF COMMITTEE.

4 THE COMMITTEE SHALL ADVANCE PRACTICES TO IMPROVE THE SAFETY

5 AND SECURITY OF SCHOOL ENTITIES WITHIN THIS COMMONWEALTH,

6 INCLUDING DEVELOPING POLICIES AND PROVIDING RESOURCES, TRAINING,

7 GUIDANCE AND ASSISTANCE TO SCHOOLS AND THEIR PARTNERS. IN

8 ADDITION TO OTHER DUTIES GIVEN TO THE COMMITTEE UNDER THIS

9 ARTICLE, THE COMMITTEE SHALL HAVE THE FOLLOWING POWERS AND

10 DUTIES:

11 (1) TO ESTABLISH, PERIODICALLY REVIEW AND, IF NECESSARY,

12 UPDATE BASELINE CRITERIA FOR PHYSICAL SECURITY AND BEHAVIORAL

13 HEALTH IN COORDINATION WITH THE DEPARTMENT FOR SCHOOL

14 ENTITIES IN THIS COMMONWEALTH.

15 (2) TO COORDINATE ANTIVIOLENCE AND SCHOOL SAFETY EFFORTS

16 BETWEEN SCHOOL, PROFESSIONAL, PARENTAL, GOVERNMENTAL, LAW

17 ENFORCEMENT AND COMMUNITY ORGANIZATIONS AND ASSOCIATIONS.

18 (3) TO COLLECT, DEVELOP AND DISSEMINATE INFORMATION,

19 POLICIES, STRATEGIES AND OTHER INFORMATION TO ASSIST IN THE

20 DEVELOPMENT OF PROGRAMS TO IMPACT SCHOOL AND COMMUNITY

21 VIOLENCE AND OTHER SCHOOL-SAFETY-RELATED ISSUES.

22 (4) TO PROVIDE TRAINING TO SCHOOL EMPLOYEES, SCHOOL

23 SAFETY AND SECURITY COORDINATORS AND COMMUNITIES ON EFFECTIVE

24 MEASURES TO PREVENT AND COMBAT SCHOOL AND COMMUNITY VIOLENCE

25 AS WELL AS SCHOOL SAFETY AND SECURITY TRAINING UNDER SECTION

26 1310-B AND COORDINATOR TRAINING UNDER SECTION 1316-B.

27 (5) IN COLLABORATION AND COORDINATION WITH THE

28 DEPARTMENT, TO ASSIST SCHOOL ENTITIES AND NONPUBLIC SCHOOLS

29 ON THE DEVELOPMENT OF POLICIES TO ENHANCE SAFETY AND

30 SECURITY, INCLUDING POLICIES ADDRESSING POSSESSION OF

1 WEAPONS, ACTS OF VIOLENCE, PROTOCOLS FOR COORDINATION WITH
2 LAW ENFORCEMENT OFFICIALS AND REPORTING UNDER SECTION 1319-B.

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

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

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

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

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

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

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

1 SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

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

3 * * *

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

5 * * *

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

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

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

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

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

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

29 (I) COMMUNITY VIOLENCE PREVENTION PROGRAMS.--

30 (1) [MUNICIPALITIES] NOTWITHSTANDING SUBSECTION (H) (7),

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

8 * * *

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

12 * * *

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

17 * * *

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

28 * * *

29 (K) COORDINATION OF GRANT DISTRIBUTION.--THE [DEPARTMENT]
30 COMMITTEE SHALL COORDINATE THE DISTRIBUTION OF GRANTS UNDER

1 [ARTICLE XIII-A WITH THE COMMITTEE] SECTION 1306.1-B TO ENSURE
2 THE MOST EFFECTIVE USE OF RESOURCES.

3 (L) AUDITS.--

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

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

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

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

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

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

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

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

4 (E) SUPPLEMENT AND NOT SUPPLANT.--

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

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

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

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

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

26 (I) (RESERVED).

27 (J) USES.--TARGETED GRANTS TO SCHOOL ENTITIES AND TO
28 INTERMEDIATE UNITS ON BEHALF OF NONPUBLIC SCHOOLS SHALL BE USED
29 TO FUND PROGRAMS THAT ADDRESS SCHOOL VIOLENCE AND SCHOOL MENTAL
30 HEALTH. ELIGIBLE USES OF THE FUNDS SHALL INCLUDE ANY USE UNDER

1 SECTION 1306-B(J) AND TO FUND PROGRAMS THAT ADDRESS SCHOOL
2 VIOLENCE BY ESTABLISHING OR ENHANCING SCHOOL SECURITY, INCLUDING
3 COSTS ASSOCIATED WITH THE TRAINING AND COMPENSATION OF SCHOOL
4 SECURITY PERSONNEL.

5 (K) OTHER GRANT RECIPIENTS.--

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

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

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

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

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

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

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

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

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

21 (III) AN ESTIMATED BUDGET;

22 (IV) METHODS FOR MEASURING OUTCOMES; AND

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

24 (2) THE COMMITTEE SHALL:

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

29 (II) GIVE PRIORITY IN GRANT FUNDING UNDER SUBSECTION
30 (J) TO SCHOOL ENTITIES WITH THE GREATEST NEED RELATED TO

1 SAFETY AND ORDER.

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

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

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

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

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

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

27 (E) THE REQUIREMENTS OF SECTION 111.

28 (F) IN THE CASE OF A SCHOOL ENTITY, HAVE BEEN
29 INDEMNIFIED BY THE SCHOOL ENTITY UNDER 42 PA.C.S. §
30 8548 (RELATING TO INDEMNITY).

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

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

17 (M) AUDITS.--

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

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

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

28 (O) TRANSFER.--WITHIN 90 DAYS OF THE EFFECTIVE DATE OF THIS
29 SECTION, FROM THE AMOUNT APPROPRIATED TO THE DEPARTMENT OF
30 EDUCATION FOR THE SAFE SCHOOLS INITIATIVE, THE DEPARTMENT OF

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

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

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

10 SECTION 1306.2-B. STANDARDIZED PROTOCOLS.

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

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

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

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

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

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

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

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

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

29 (A) ESTABLISHMENT.--A COUNTY, OR MULTICOUNTIES ACTING
30 JOINTLY, MAY ESTABLISH A SAFE SCHOOLS' COLLABORATIVE TO

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

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

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

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

29 (E) CONFIDENTIALITY OF MEETINGS.--MEETINGS OF A COUNTY SAFE
30 SCHOOLS' COLLABORATIVE ARE NOT SUBJECT TO THE REQUIREMENTS OF 65

1 PA.C.S. CH. 7 (RELATING TO OPEN MEETINGS).

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

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

8 (B) PURPOSE OF GRANTS.--

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

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

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

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

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

28 (3) AN AMOUNT DETERMINED AS FOLLOWS:

29 (I) MULTIPLY THE 2021-2022 ADJUSTED AVERAGE DAILY
30 MEMBERSHIP FOR EACH SCHOOL DISTRICT BY THE DIFFERENCE

1 BETWEEN THE AMOUNT ALLOCATED IN SUBSECTION (A) AND THE
2 SUM OF THE AMOUNTS DISTRIBUTED UNDER PARAGRAPHS (1) AND
3 (2).

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

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

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

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

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

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

29 SECTION 17. SECTION 1316-B(B) OF THE ACT, ADDED JULY 8, 2022
30 (P.L.620, NO.55), IS AMENDED TO READ:

1 SECTION 1316-B. SCHOOL SAFETY AND SECURITY COORDINATOR

2 TRAINING.

3 * * *

4 (B) REQUIRED TRAINING.--

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

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

15 * * *

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

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

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

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

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

8 (2) THE NAME AND ADDRESS OF SCHOOL.

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

15 (4) THE RACE OF THE STUDENTS INVOLVED.

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

20 (6) ANY SANCTION IMPOSED BY THE SCHOOL.

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

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

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

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

29 CHAPTER 25 (RELATING TO CRIMINAL HOMICIDE).

30 SECTION 2702 (RELATING TO AGGRAVATED ASSAULT).

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

1 UNDER 42 PA.C.S. § 9799.55 (RELATING TO REGISTRATION).

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

5 SECTION 2701 (RELATING TO SIMPLE ASSAULT).

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

8 SECTION 2706 (RELATING TO TERRORISTIC THREATS).

9 SECTION 2709 (RELATING TO HARASSMENT).

10 SECTION 3127 (RELATING TO INDECENT EXPOSURE).

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

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

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

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

18 SECTION 5503 (RELATING TO DISORDERLY CONDUCT).

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

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

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

25 (9) NOTIFICATION OF LAW ENFORCEMENT.

26 (10) REMEDIAL PROGRAMS INVOLVED.

27 (11) PARENTAL INVOLVEMENT REQUIRED.

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

29 (C) DUTIES.--PRIOR TO SUBMITTING THE REPORT REQUIRED UNDER
30 SUBSECTION (B), EACH CHIEF SCHOOL ADMINISTRATOR AND EACH LAW

1 ENFORCEMENT AGENCY HAVING JURISDICTION OVER SCHOOL PROPERTY OF
2 THE SCHOOL ENTITY SHALL COMPLY WITH THE FOLLOWING:

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

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

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

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

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

28 (1) A PROCEDURE FOR LAW ENFORCEMENT AGENCY REVIEW OF THE
29 ANNUAL REPORT REQUIRED UNDER SUBSECTION (B) PRIOR TO THE
30 CHIEF SCHOOL ADMINISTRATOR FILING THE REPORT WITH THE

1 DEPARTMENT.

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

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

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

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

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

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

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

29 (II) ALL REQUIRED REPORTING UNDER THIS ARTICLE AND
30 ARTICLE XIII-C.

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

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

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

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

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

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

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

30 (3) TO MONITOR THE SCHOOL DISTRICT'S COMPLIANCE WITH THE

1 MANDATORY EXPULSION REQUIREMENTS OF SECTIONS 1317.2 AND
2 1318.1.

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

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

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

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

30 (C) ADDITIONAL DUTIES.--A SAFE SCHOOLS ADVOCATE SHALL, ON

1 BEHALF OF VICTIMS OF CONDUCT THAT CONSTITUTES A CRIMINAL OFFENSE
2 ON SCHOOL PROPERTY OR VICTIMS OF AT LEAST TWO INFRACTIONS OF THE
3 SCHOOL DISTRICT'S CODE OF CONDUCT:

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

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

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

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

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

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

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

29 (6) IF THE PERPETRATOR OF CONDUCT THAT CONSTITUTES A
30 CRIMINAL OFFENSE RETURNS TO SCHOOL AFTER PLACEMENT UNDER A

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

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

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

12 (D) NOTIFICATION.--

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

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

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

30 (4) THE FORM OF THE NOTICE SHALL ALSO BE DEVELOPED BY

1 THE SAFE SCHOOLS ADVOCATE AND PROVIDED TO THE SCHOOL
2 DISTRICT.

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

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

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

16 (H) STANDING.--

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

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

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

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

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

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

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

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

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

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

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

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

1 INDIVIDUAL EXERCISING SELF-DEFENSE WHEN ASSAULTED.

2 SECTION 1321-B. ENFORCEMENT.

3 (A) PROCEDURE.--

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

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

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

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

28 (B) CONSTRUCTION OF ARTICLE AND OTHER LAWS.--NOTHING IN THIS
29 ARTICLE OR ANY OTHER PROVISION OF LAW SHALL BE CONSTRUED AS
30 GRANTING A RIGHT OF STATUS FOR OR PARTICIPATION BY THE SAFE

1 SCHOOLS ADVOCATE IN A GRIEVANCE OR ARBITRATION PROCEEDING
2 ARISING OUT OF A COLLECTIVE BARGAINING AGREEMENT.

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

6 SECTION 1301-C. DEFINITIONS.

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

10 * * *

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

13 * * *

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

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

20 SECTION 1302-C. SCHOOL POLICE OFFICERS.

21 * * *

22 (C) REPORTING.--

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

29 (2) A SCHOOL ENTITY OR NONPUBLIC SCHOOL THAT HAS
30 PREVIOUSLY APPLIED TO THE COURT TO APPOINT A PERSON OR

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

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

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

10 SECTION 1303-C. ANNUAL REPORT.

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

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

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

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

24 SECTION 1314-C. SCHOOL SECURITY GUARDS.

25 * * *

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

27 * * *

28 (3) AN ARMED SCHOOL SECURITY GUARD WHO IS EMPLOYED OR
29 CONTRACTED BY A SCHOOL ENTITY OR NONPUBLIC SCHOOL BEFORE
30 SEPTEMBER 2, 2019, SHALL HAVE UNTIL FEBRUARY 28, 2020, TO

1 COMPLETE THE INSTRUCTION UNDER PARAGRAPH (1) UNLESS AN
2 EXTENSION IS APPROVED THROUGH THE FOLLOWING PROCESS:

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

10 * * *

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

19 * * *

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

23 * * *

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

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

1 FOR ENROLLMENT IN THE RECOVERY HIGH SCHOOL ON THE
2 STUDENT'S BEHALF.

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

14 * * *

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

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

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

28 (2) FOR A STUDENT WITHOUT AN IEP, THE RESIDENT SCHOOL
29 DISTRICT SHALL FOLLOW A NOTICE AND HEARING PROCESS THAT THE
30 DEPARTMENT SHALL DEVELOP AND POST ON ITS PUBLICLY ACCESSIBLE

1 INTERNET WEBSITE.

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

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

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

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

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

28 (B) PAYMENT.--THE DEPARTMENT OF EDUCATION SHALL PAY ANY
29 TUITION DUE FROM THE STUDENT'S SCHOOL DISTRICT OF RESIDENCE
30 UNDER SECTION 1405-A TO THE RECOVERY HIGH SCHOOL BY SUBTRACTING

1 THE AMOUNT FROM STATE SUBSIDIES PAYABLE TO THE STUDENT'S SCHOOL
2 DISTRICT OF RESIDENCE.

3 SECTION 24. SECTION 1404-A OF THE ACT IS REPEALED:

4 [SECTION 1404-A. ACADEMIC PROGRAMS.]

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

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

20 (C) LICENSURE.--IF A STUDENT ENROLLED IN THE RECOVERY HIGH
21 SCHOOL IS SUBJECT TO AN IEP, THE RECOVERY HIGH SCHOOL MUST BE
22 LICENSED TO PROVIDE ANY SERVICES REQUIRED TO BE PROVIDED UNDER
23 THE STUDENT'S IEP.]

24 SECTION 25. THE ACT IS AMENDED BY ADDING A SECTION TO READ:
25 SECTION 1517-D. QUARTERLY REPORTING.

26 (A) AMENDMENT OF SYSTEM.--NO LATER THAN MARCH 31, 2024, THE
27 DEPARTMENT SHALL AMEND THE DEPARTMENT'S SYSTEM TO ALLOW FOR
28 COLLECTION OF INFORMATION REQUIRED UNDER THIS SUBSECTION.

29 (B) INFORMATION TO BE COLLECTED.--BEGINNING ON APRIL 1,
30 2024, AN APPROVED PROVIDER SHALL PROVIDE TO THE DEPARTMENT:

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

4 (2) NOTICE AND INFORMATION ON AN ELIGIBLE STUDENT'S
5 REMOVAL FROM ENROLLMENT IN A PROGRAM-FUNDED SLOT IN THE
6 APPROVED PROVIDER'S PROGRAM WITHIN 15 DAYS FROM THE REMOVAL
7 OF ENROLLMENT.

8 (C) REPORT.--BY JULY 31, 2024, AND EACH QUARTER THEREAFTER,
9 THE DEPARTMENT SHALL, FROM THE INFORMATION REPORTED BY THE
10 APPROVED PROVIDERS UNDER SUBSECTION (B), REPORT TO THE
11 CHAIRPERSON AND MINORITY CHAIRPERSON OF THE APPROPRIATIONS
12 COMMITTEE OF THE SENATE AND THE CHAIRPERSON AND MINORITY
13 CHAIRPERSON OF THE APPROPRIATIONS COMMITTEE OF THE HOUSE OF
14 REPRESENTATIVES THE FOLLOWING:

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

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

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

24 (4) THE NUMBER OF ELIGIBLE STUDENTS ENROLLED FOR 90% OF
25 THE MONTH IN A PROGRAM-FUNDED SLOT FOR EACH APPROVED PROVIDER
26 ORGANIZED BY MONTH IN THE PREVIOUS QUARTER.

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

1 (6) OTHER INFORMATION THE DEPARTMENT DEEMS NECESSARY.
2 (D) DUTY OF SECRETARY.--BY THE JULY 31, 2024, REPORT AND
3 EACH QUARTERLY REPORT THEREAFTER, THE SECRETARY OF EDUCATION
4 SHALL MEET IN PERSON WITH THE CHAIRPERSON, OR A DESIGNEE, AND
5 MINORITY CHAIRPERSON, OR A DESIGNEE, OF THE APPROPRIATIONS
6 COMMITTEE OF THE SENATE AND THE CHAIRPERSON, OR A DESIGNEE, AND
7 MINORITY CHAIRPERSON, OR A DESIGNEE, OF THE APPROPRIATIONS
8 COMMITTEE OF THE HOUSE OF REPRESENTATIVES TO REPORT ON THE
9 INFORMATION COLLECTED UNDER THIS SECTION. THE REQUIREMENT UNDER
10 THIS SUBSECTION MAY BE WAIVED BY AGREEMENT IN WRITING OF THE
11 CHAIRPERSON AND MINORITY CHAIRPERSON OF THE APPROPRIATIONS
12 COMMITTEE OF THE SENATE AND THE CHAIRPERSON AND MINORITY
13 CHAIRPERSON OF THE APPROPRIATIONS COMMITTEE OF THE HOUSE OF
14 REPRESENTATIVES.

15 SECTION 26. SECTION 1607(B) OF THE ACT IS AMENDED BY ADDING
16 A PARAGRAPH AND THE SECTION IS AMENDED BY ADDING A SUBSECTION TO
17 READ:

18 SECTION 1607. ATTENDANCE IN OTHER DISTRICTS.--* * *

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

26 * * *

27 (5) FOR THE 2023-2024 SCHOOL YEAR AND EACH SCHOOL YEAR
28 THEREAFTER, THE PER PUPIL TUITION RATE THAT A SCHOOL DISTRICT
29 DESIGNATED UNDER PARAGRAPH (1) SHALL RECEIVE FOR EACH REASSIGNED
30 STUDENT IN A REGULAR OR SPECIAL EDUCATION PROGRAM SHALL BE THE

1 SUM OF:

2 (I) THE TUITION RATE ESTABLISHED FOR THE PRIOR SCHOOL YEAR;

3 AND

4 (II) THE PRODUCT OF:

5 (A) THE TUITION RATE ESTABLISHED FOR THE PRIOR SCHOOL YEAR;

6 AND

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

10 * * *

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

14 (1.1) THE DISTRESSED SCHOOL DISTRICT SUBJECT TO THIS SECTION
15 MAY SUBMIT A PLAN TO REOPEN ITS HIGH SCHOOL TO THE SECRETARY OF
16 EDUCATION.

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

19 (I) THE FINANCIAL SUSTAINABILITY OF THE PLAN TO REOPEN THE
20 HIGH SCHOOL.

21 (II) THE DEMOGRAPHIC TRENDS OF THE DISTRESSED SCHOOL
22 DISTRICT SUBJECT TO THIS SECTION.

23 (III) PROPOSED FACULTY LEVELS AND CURRICULUM OFFERINGS.

24 (IV) THE CONTENTS OF THE MOST RECENT REPORT REQUIRED UNDER
25 SUBSECTION (I) (2).

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

28 (VI) ANY OTHER INFORMATION AS DETERMINED BY THE SECRETARY OF
29 EDUCATION.

30 * * *

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

3 SECTION 1913-A. FINANCIAL PROGRAM; REIMBURSEMENT OF
4 PAYMENTS.--* * *

5 (B) * * *

6 (1.6) FOR THE 2006-2007 FISCAL YEAR AND EACH FISCAL YEAR
7 THEREAFTER, THE PAYMENT FOR A COMMUNITY COLLEGE SHALL CONSIST OF
8 THE FOLLOWING:

9 * * *

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

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

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

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

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

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

28 * * *

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

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

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

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

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

17 (II) MULTIPLY THE QUOTIENT UNDER SUBPARAGRAPH (I) BY
18 \$70,422,981.

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

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

28 (5) EACH LIBRARY SYSTEM RECEIVING STATE AID UNDER THIS
29 SUBSECTION MAY DISTRIBUTE THE LOCAL LIBRARY SHARE OF THAT AID
30 IN A MANNER AS DETERMINED BY THE BOARD OF DIRECTORS OF THE

1 LIBRARY SYSTEM.

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

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

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

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

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

20 SECTION 29. SECTIONS 2502.8(B)(1), 2509.1(C.2)(1) AND
21 2510.3(A)(2) OF THE ACT, AMENDED JULY 8, 2022 (P.L.620, NO.55),
22 ARE AMENDED TO READ:

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

25 (B) FOR THE 1981-1982 SCHOOL YEAR THROUGH THE 1984-1985
26 SCHOOL YEAR, EACH SCHOOL DISTRICT SO ENTITLED SHALL BE PAID, IN
27 ADDITION TO ANY OTHER SUBSIDY TO WHICH IT IS ENTITLED, AN AMOUNT
28 ON ACCOUNT OF RESIDENT PUPILS ENROLLED IN CAREER AND TECHNICAL
29 CURRICULUMS; FOR THE 1985-1986 SCHOOL YEAR THROUGH THE 1999-2000
30 SCHOOL YEAR, EACH SCHOOL DISTRICT AND AREA CAREER AND TECHNICAL

1 SCHOOL SHALL BE PAID AN AMOUNT ON ACCOUNT OF STUDENTS ENROLLED
2 IN CAREER AND TECHNICAL CURRICULUMS; FOR THE 2000-2001 SCHOOL
3 YEAR AND EACH SCHOOL YEAR THEREAFTER, EACH SCHOOL DISTRICT, AREA
4 CAREER AND TECHNICAL SCHOOL AND CHARTER SCHOOL SHALL BE PAID AN
5 AMOUNT ON ACCOUNT OF STUDENTS ENROLLED IN CAREER AND TECHNICAL
6 CURRICULUMS, DETERMINED AS FOLLOWS:

7 (1) DETERMINE THE INCREASE IN THE WEIGHTED AVERAGE DAILY
8 MEMBERSHIP BY MULTIPLYING THE NUMBER OF STUDENTS IN AVERAGE
9 DAILY MEMBERSHIP IN CAREER AND TECHNICAL CURRICULUMS IN AREA
10 CAREER AND TECHNICAL SCHOOLS BY TWENTY-ONE HUNDREDTHS (.21) AND
11 THE NUMBER OF STUDENTS IN AVERAGE DAILY MEMBERSHIP IN SCHOOL
12 DISTRICT AND CHARTER SCHOOL CAREER AND TECHNICAL CURRICULUMS BY
13 SEVENTEEN HUNDREDTHS (.17); EXCEPT[, FOR] :

14 (I) FOR THE 2021-2022 SCHOOL YEAR [AND EACH FISCAL YEAR
15 THEREAFTER], DETERMINE THE INCREASE IN THE WEIGHTED AVERAGE
16 DAILY MEMBERSHIP BY MULTIPLYING THE NUMBER OF STUDENTS IN
17 AVERAGE DAILY MEMBERSHIP IN CAREER AND TECHNICAL CURRICULUMS IN
18 AREA CAREER AND TECHNICAL SCHOOLS BY TWO THOUSAND TWO HUNDRED
19 SEVENTY-SIX TEN THOUSANDTHS (.2276) AND THE NUMBER OF STUDENTS
20 IN AVERAGE DAILY MEMBERSHIP IN SCHOOL DISTRICT AND CHARTER
21 SCHOOL CAREER AND TECHNICAL CURRICULUMS BY ONE THOUSAND EIGHT
22 HUNDRED FORTY-FOUR TEN THOUSANDTHS (.1844).

23 (II) FOR THE 2022-2023 SCHOOL YEAR AND EACH FISCAL YEAR
24 THEREAFTER, DETERMINE THE INCREASE IN THE WEIGHTED AVERAGE DAILY
25 MEMBERSHIP BY MULTIPLYING THE NUMBER OF STUDENTS IN AVERAGE
26 DAILY MEMBERSHIP IN CAREER AND TECHNICAL CURRICULUMS IN AREA
27 CAREER AND TECHNICAL SCHOOLS BY TWO THOUSAND FOUR HUNDRED
28 SEVENTY-TWO TEN THOUSANDTHS (.2472) AND THE NUMBER OF STUDENTS
29 IN AVERAGE DAILY MEMBERSHIP IN SCHOOL DISTRICT AND CHARTER
30 SCHOOL CAREER AND TECHNICAL CURRICULUMS BY TWO THOUSAND ELEVEN

1 TEN THOUSANDTHS (.2011).

2 * * *

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

4 (C.2) THE FOLLOWING APPLY:

5 (1) FOR THE 2016-2017, 2017-2018, 2018-2019, 2019-2020,
6 2020-2021, 2021-2022 [AND], 2022-2023 AND 2023-2024 SCHOOL
7 YEARS, FIVE AND FIVE-TENTHS PERCENT (5.5%) OF THE STATE SPECIAL
8 EDUCATION APPROPRIATION SHALL BE PAID TO INTERMEDIATE UNITS ON
9 ACCOUNT OF SPECIAL EDUCATION SERVICES.

10 * * *

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

14 * * *

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

30 * * *

1 SECTION 30. SECTION 2599.6 OF THE ACT IS AMENDED BY ADDING A
2 SUBSECTION TO READ:

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

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

9 * * *

10 SECTION 31. SECTION 2599.7(B), (C) AND (D) OF THE ACT ARE
11 AMENDED TO READ:

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

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

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

29 (D) FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, THROUGH THE
30 FISCAL YEAR ENDING JUNE 30, 2023, IF THE AMOUNT CALCULATED FOR

1 PAYMENTS TO SCHOOL DISTRICTS UNDER 24 PA.C.S. § 8329 EXCEEDS THE
2 AMOUNT NECESSARY, THE DEPARTMENT OF EDUCATION SHALL NOTIFY THE
3 GOVERNOR, THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
4 APPROPRIATIONS COMMITTEE OF THE SENATE AND THE CHAIRPERSON AND
5 MINORITY CHAIRPERSON OF THE APPROPRIATIONS COMMITTEE OF THE
6 HOUSE OF REPRESENTATIVES OF THE AMOUNT OF THE EXCESS. AN AMOUNT
7 EQUAL TO THE EXCESS SHALL BE DISTRIBUTED TO SCHOOL DISTRICTS AS
8 A SUPPLEMENTAL PAYMENT CALCULATED UNDER THE FORMULA CONTAINED IN
9 SECTION 2502.53.

10 * * *

11 SECTION 32. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

12 (1) THE ADDITION OF ARTICLE XII-B OF THE ACT SHALL TAKE
13 EFFECT IN 60 DAYS.

14 (2) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT
15 IMMEDIATELY.