

AMENDMENTS TO SENATE BILL NO. 843

Sponsor: REPRESENTATIVE SCHWEYER

Printer's No. 963

1 Amend Bill, page 1, lines 5 and 6, by striking out "providing
2 for Interstate Teacher" in line 5 and all of line 6 and
3 inserting
4 in preliminary provisions, further providing for Basic
5 Education Funding Commission and for special provisions
6 applicable to limited school years and providing for public
7 job posting database, for instructional vacancy data and for
8 data transparency; in grounds and buildings, further
9 providing for limitation on new applications for Department
10 of Education approval of public school building projects; in
11 intermediate units, further providing for school safety and
12 security enhancements; in certification of teachers, further
13 providing for substitute teaching permit for prospective
14 teachers, for locally issued temporary certification for
15 substitute teachers and for permit for classroom monitors;
16 providing for Interstate Teacher Mobility Compact and for
17 Educator Pipeline Support Grant Program; in safe schools,
18 further providing for definitions and for Office for Safe
19 Schools, repealing provisions relating to regulations and to
20 reporting, further providing for policy relating to bullying
21 and for maintenance of records, repealing provisions relating
22 to safe schools advocate in school districts of the first
23 class, to standing, to enforcement and to construction of
24 article and other laws; in school safety and security,
25 further providing for definitions and for School Safety and
26 Security Committee, providing for duties of committee,
27 further providing for School Safety and Security Grant
28 Program, providing for Targeted School Safety Grants for
29 Nonpublic Schools and School Entities Program, for
30 standardized protocols, for county safe schools'
31 collaborative and for school mental health grants for 2023-
32 2024 school year, further providing for school safety and
33 security coordinator training and providing for reporting and
34 memorandum of understanding, for safe schools advocate in
35 school districts of the first class and for enforcement; in
36 school security, further providing for definitions, for
37 school police officers, for annual report and for school

1 security guards; in drug and alcohol recovery high school
2 program, further providing for scope of program and selection
3 of students, providing for enrollment of students and
4 repealing provisions relating to academic programs; in early
5 learning programs, providing for quarterly reporting; in high
6 schools, further providing for attendance in other districts;
7 in community colleges, further providing for financial
8 program and reimbursement of payments; in funding for public
9 libraries, providing for State aid for fiscal year 2023-2024;
10 in reimbursements by Commonwealth and between school
11 districts, further providing for payments on account of
12 pupils enrolled in career and technical curriculums, for
13 payments to intermediate units, for assistance to school
14 districts declared to be in financial recovery status or
15 identified for financial watch status, for Ready-to-Learn
16 Block Grant and for payment of required contribution for
17 public school employees' Social Security; and making an
18 editorial change.

19 Amend Bill, page 1, lines 9 through 11, by striking out all
20 of said lines and inserting

21 Section 1. Sections 123(k)(2) and 129 of the act of March
22 10, 1949 (P.L.30, No.14), known as the Public School Code of
23 1949, are amended to read:

24 Section 123. Basic Education Funding Commission.--* * *
25 (k) * * *

26 (2) Notwithstanding paragraph (1), the commission shall be
27 reconstituted July 1, 2022, and shall issue the report to the
28 recipients listed in subsection (i)(12) not later than [November
29 30, 2023] January 11, 2024.

30 * * *

31 Section 129. Special Provisions Applicable to Limited School
32 Years.--Notwithstanding any provision of law or regulation to
33 the contrary, [for the 2021-2022 and 2022-2023 school years,]
34 if, in the judgment of a school employer, an emergency or
35 shortage of day-to-day substitute teachers exists under 24
36 Pa.C.S. § 8346(b) (relating to termination of annuities), the
37 school employer may hire an annuitant, as defined in 24 Pa.C.S.
38 § 8102 (relating to definitions), regardless of whether the
39 school employer first attempts to secure nonretired personnel,
40 except that the school employer shall comply with section
41 1125.1(d)(2) by first offering the work to any certified
42 professional employe on a recall list. The provisions of 24
43 Pa.C.S. § 8346(b) regarding the continuation of annuity or
44 distributions to an annuitant who returns to school service
45 during an emergency shall apply to annuitants hired under this
46 section. Nothing under this section shall supersede or preempt a
47 provision of an existing collective bargaining agreement between
48 a school employer and an exclusive representative of the
49 employes under the act of July 23, 1970 (P.L.563, No.195), known

1 as the "Public Employe Relations Act."
2 Section 1.1. The act is amended by adding sections to read:
3 Section 130. Public Job Posting Database.--(a) The
4 department shall establish and maintain a public database for
5 school entities or nonpublic schools to voluntarily advertise
6 employe vacancies on the department's publicly accessible
7 Internet website. The database shall, at a minimum:
8 (1) Allow a school entity or nonpublic school to post in
9 real time an employe vacancy. The department shall determine
10 information to be required as part of a posting.
11 (2) Provide for a time-limited expiration of a posting made
12 by a school entity or nonpublic school.
13 (3) Be searchable by, at a minimum, county, intermediate
14 unit, school entity, grade level, employe type and academic
15 content area.
16 (4) Be made available at no cost to a school entity,
17 nonpublic school or prospective employe.
18 (b) A school entity or nonpublic school may submit a posting
19 to the database established under subsection (a) for an open
20 position or an anticipated open position.
21 (c) The department may contract with a third party to
22 operate the database established under subsection (a).
23 (d) As used in this section, the following words and phrases
24 shall have the meanings given to them in this subsection unless
25 the context clearly indicates otherwise:
26 "Department." The Department of Education of the
27 Commonwealth.
28 "Employe." The following:
29 (1) A "professional employe" as defined in section 1101(1).
30 (2) A paraprofessional or educational interpreter as
31 described under 22 Pa. Code § 14.105 (relating to personnel).
32 (3) Any other employe in a school entity or nonpublic school
33 as determined by the department.
34 "Nonpublic school." As defined in section 923.3-A(b).
35 "School entity." A school district, charter school, regional
36 charter school, intermediate unit or area career and technical
37 school operating within this Commonwealth.
38 Section 131. Instructional Vacancy Data.--(a) The
39 department shall require a school entity to submit certain
40 information relating to instructional vacancies, including, at a
41 minimum, the number of instructional vacancies, the number of
42 emergency permits utilized by a school entity and the number of
43 positions occupied by long-term substitutes. The department
44 shall determine the form and manner in which the information is
45 to be submitted by a school entity. To the best extent possible,
46 the department shall utilize existing reporting methods to
47 collect this data. By August 31, 2024, and each August 31
48 thereafter, each school entity shall report the following to the
49 department:
50 (1) The total budgeted complement of instructional employes
51 for that fiscal year and vacancies included in the final adopted

1 budget of a board of school directors.
2 (2) The quarterly average number of instructional employe
3 vacancies the school entity had during the school year.
4 (b) The department shall maintain the information collected
5 under subsection (a) on its publicly accessible Internet
6 website.
7 (c) As used in this section, the following words and phrases
8 shall have the meanings given to them in this subsection unless
9 the context clearly indicates otherwise:
10 "Department." The Department of Education of the
11 Commonwealth.
12 "School entity." A school district, charter school, regional
13 charter school, intermediate unit or area career and technical
14 school operating within this Commonwealth.
15 Section 132. Data Transparency.--(a) To the extent that
16 funding is made available, no later than December 31 of each
17 year, the department shall post on its publicly accessible
18 Internet website data related to the educator workforce in this
19 Commonwealth that allows members of the public to view,
20 disaggregate and manipulate the following data if collected by
21 the department:
22 (1) Educator supply data, including educator preparation
23 provider enrollment and completion data and education
24 professional certificates issued by the department,
25 disaggregated by categories, including program, certification
26 area and demographic information.
27 (2) Educator demand data, including current educator
28 workforce numbers, unfilled positions and rates, new hires and
29 emergency permits or out-of-field educators, disaggregated by
30 categories, including school entity, school, specific
31 assignment, certification area, type of emergency permit and
32 demographic information.
33 (3) Educator preparation program outcomes data, including
34 data on percentage of program enrollees who:
35 (i) Complete the program.
36 (ii) Pass the certification test on the first time and
37 overall.
38 (iii) Receive certification.
39 (iv) Are employed by a school entity in years one through
40 five.
41 (v) Are retained by a school entity in years one through
42 five.
43 (4) Educator retention at one-year, three-year and five-year
44 rates, disaggregated by categories, including school entity,
45 school, specific assignment, certification area, type of
46 emergency permit and demographic information.
47 (b) The department may contract with an outside organization
48 to meet the requirements of this section.
49 (c) No later than December 15, 2023, and each December 15
50 thereafter, the department, in consultation with the Department
51 of Labor and Industry, shall issue a report to the Governor and

1 General Assembly on the educator workforce in this Commonwealth.
2 The report shall be posted on the department's publicly
3 accessible Internet website. The report shall include
4 information on:

5 (1) Trends in educator supply and educator preparation
6 provider effectiveness, including recommendations for attracting
7 more high-quality and diverse teacher candidates and improving
8 the quality of educator preparation in this Commonwealth.

9 (2) The educator positions, by certification area, in high
10 demand in this Commonwealth and the location of existing
11 vacancies by school entity.

12 (3) Projections of shortage areas and subjects in the
13 upcoming three to five years and recommendations for addressing
14 these shortages.

15 (4) Overall and disaggregated trends in educator retention,
16 including recommendations for improving retention.

17 (d) As used in this section, the following words and phrases
18 shall have the meanings given to them in this subsection unless
19 the context clearly indicates otherwise:

20 "Department." The Department of Education of the
21 Commonwealth.

22 "School entity." A school district, cyber charter school,
23 charter school, regional charter school, area career and
24 technical school or intermediate unit.

25 Section 1.2. Section 732.1(a) of the act, amended July 8,
26 2022 (P.L.620, No.55), is amended to read:

27 Section 732.1. Limitation on New Applications for Department
28 of Education Approval of Public School Building Projects.--(a)
29 For the 2012-2013 fiscal year, 2013-2014 fiscal year, 2017-2018
30 fiscal year, 2018-2019 fiscal year, 2019-2020 fiscal year, 2020-
31 2021 fiscal year, 2021-2022 fiscal year [and], 2022-2023 fiscal
32 year and each fiscal year thereafter, the Department of
33 Education shall not accept or approve new school building
34 construction or reconstruction project applications under this
35 article.

36 * * *

37 Section 2. The definition of "school safety and security
38 enhancements" in section 923.3-A(b) and subsection (c) of the
39 act are amended to read:

40 Section 923.3-A. School Safety and Security Enhancements.-*
41 * *

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

43 * * *

44 "School safety and security enhancements" means programs
45 which are designed to address school safety and security and
46 listed in section [1302-A(c)] 1306.1-B(j), which are secular and
47 nonideological in nature.

48 (c) Program of School Safety and Security Enhancements. A
49 program of school security enhancements shall be provided by an
50 intermediate unit in which a nonpublic school is located, in
51 accordance with standards developed by the [Secretary of

1 Education in consultation with the Office of Safe Schools and
2 the Pennsylvania Commission on Crime and Delinquency.] School
3 Safety and Security Committee established under section 1302-B
4 in consultation with the Department of Education. Through the
5 program, an intermediate unit shall make application for school
6 safety and security enhancements upon the request of a nonpublic
7 school or combination of nonpublic schools located within the
8 intermediate unit. School safety and security enhancements for
9 which grants are received shall be provided for or contracted
10 for directly by the intermediate unit or loaned by the
11 intermediate unit to the nonpublic school.

12 * * *

13 Section 3. Section 1201.1(3) of the act is amended and the
14 section is amended by adding a paragraph to read:

15 Section 1201.1. Substitute Teaching Permit for Prospective
16 Teachers.--An individual who does not hold a certificate under
17 section 1201 shall be eligible to teach as a substitute in a
18 school district, an area career and technical school or an
19 intermediate unit provided that:

20 * * *

21 (3) An individual receiving a Substitute Teaching Permit for
22 Prospective Teachers may serve as a substitute teacher for no
23 more than ten (10) days per school year for a single
24 professional employe or temporary professional employe, provided
25 that the individual may serve as a substitute for multiple
26 professional employes or temporary professional employes for no
27 more than twenty (20) days per school year. [For the 2021-2022
28 and 2022-2023] Subject to paragraph (3.1), for the 2023-2024,
29 2024-2025 and 2025-2026 school years, the number of days or
30 hours per school year for which an individual receiving a permit
31 under this section may serve as a substitute teacher shall not
32 be limited, except for an individual who is undertaking a
33 student teacher program as required under 22 Pa. Code §
34 354.25(f) (relating to preparation program curriculum) for
35 educator preparation programs.

36 (3.1) During an individual's student teacher program
37 required under 22 Pa. Code § 354.25(f) (relating to preparation
38 program curriculum) for educator preparation programs, the
39 individual may serve as a substitute teacher for no more than
40 ten (10) days in the individual's assigned classroom or
41 classrooms or for other teachers within the building or
42 buildings in which the individual has been placed as a student
43 teacher.

44 * * *

45 Section 4. Section 1215 of the act is amended to read:

46 Section 1215. Locally Issued Temporary Certification for
47 Substitute Teachers.--A temporary substitute teacher certificate
48 may be issued by a public school entity to an individual who
49 presents a letter from a college or university verifying that
50 the individual has completed an approved teacher preparation
51 program, has successfully completed the certification testing

1 requirements or is in the process of scheduling the required
2 certification testing and has completed all requirements for the
3 awarding of a bachelor's degree on a date certain. The temporary
4 substitute teacher certificate shall only be used for day-to-day
5 assignments and shall expire upon the termination of any summer
6 school conducted in the summer which follows the date of
7 issuance or upon the receipt of Instructional I certification by
8 the individual. [For the 2021-2022 and 2022-2023 school years,
9 the] The temporary substitute teacher certificate issued under
10 this section may be used for assignments of more than twenty
11 (20) consecutive days to fill a position due to the absence of
12 professional certified personnel.

13 Section 5. Section 1218 of the act, expired June 30, 2023,
14 is repealed:

15 [Section 1218. Permit for Classroom Monitors.--(a) A school
16 entity may request that the department issue a classroom monitor
17 permit to allow an individual to deliver to students assignments
18 that are preplanned by a professional employe or temporary
19 professional employe. A classroom monitor may not plan lessons
20 or create or grade student work.

21 (b) An individual receiving a permit under subsection (a)
22 shall satisfy all of the following:

23 (1) Has completed at least sixty (60) semester hours or the
24 equivalent of courses at a college or university located in this
25 Commonwealth and accredited by a regional accrediting agency, or
26 has at least three (3) years' experience as a paraprofessional
27 in a school entity and is currently employed as a
28 paraprofessional in a school entity.

29 (2) Has met the requirements under sections 111, 111.1 and
30 1109(a) and 23 Pa.C.S. Ch. 63 Subch. C (relating to powers and
31 duties of department).

32 (3) Has attained a minimum age of twenty-five (25) years.

33 (4) Has completed training on classroom management provided
34 by an intermediate unit and approved by the department.

35 (c) An individual receiving a permit under this section who
36 is already employed by the school entity as a paraprofessional
37 shall receive the higher of the individual's existing
38 contractual compensation or the compensation established by the
39 school entity for day-to-day substitute teachers.

40 (d) Each school entity that uses the services of a classroom
41 monitor under this section shall ensure that each student who
42 receives services under an Individualized Education Program
43 under the Individuals with Disabilities Education Act (Public
44 Law 91-230, 20 U.S.C. § 1400 et seq.) receives a free and
45 appropriate public education as required under the Individuals
46 with Disabilities Education Act.

47 (e) Each school entity shall report to the department the
48 following by March 31, 2023:

49 (1) The number of individuals who served as classroom
50 monitors under this section and the number of days on which the
51 school entity used the services of classroom monitors.

1 (2) The school entity's day-to-day substitute teacher
2 compensation rates in the 2020-2021, 2021-2022 and 2022-2023
3 school years. For a school entity that uses a third-party entity
4 to provide substitute teachers, the rate reported by the school
5 entity shall be the take-home amount received by an individual,
6 excluding the portion paid to the third-party entity. The
7 department shall issue rules necessary to effectuate this
8 subsection.

9 (f) By April 15, 2023, 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, 2023.]

21 Section 6. The act is amended by adding a section to read:

22 Section 1218.1. Permit for Classroom Monitors.--(a) A
23 school entity may request that the department issue a classroom
24 monitor permit to allow an individual to deliver to students
25 assignments that are preplanned by a professional employe or
26 temporary professional employe. A classroom monitor may not plan
27 lessons or create or grade student work.

28 (b) An individual receiving a permit under subsection (a)
29 shall satisfy all of the following:

30 (1) Has completed at least sixty (60) semester hours or the
31 equivalent of courses at a college or university located in this
32 Commonwealth and accredited by a regional accrediting agency or
33 has at least three (3) years' experience as a paraprofessional
34 in a school entity and is currently employed as a
35 paraprofessional in a school entity.

36 (2) Has met the requirements under sections 111, 111.1 and
37 1109(a) and 23 Pa.C.S. Ch. 63 Subch. C (relating to powers and
38 duties of department).

39 (3) Has attained a minimum age of twenty-five (25) years.

40 (4) Has completed training on classroom management provided
41 by an intermediate unit and approved by the department.

42 (c) An individual receiving a permit under this section who
43 is already employed by the school entity as a paraprofessional
44 shall receive the higher of the individual's existing
45 contractual compensation or the compensation established by the
46 school entity for day-to-day substitute teachers.

47 (d) Each school entity that uses the services of a classroom
48 monitor under this section shall ensure that each student who
49 receives services under an Individualized Education Program
50 under the Individuals with Disabilities Education Act (Public
51 Law 91-230, 20 U.S.C. § 1400 et seq.) receives a free and

1 appropriate public education as required under the Individuals
2 with Disabilities Education Act.

3 (e) Each school entity shall report to the department the
4 following by March 31, 2026:

5 (1) The number of individuals who served as classroom
6 monitors under this section and the number of days on which the
7 school entity used the services of classroom monitors.

8 (2) The school entity's day-to-day substitute teacher
9 compensation rates in each of the school years from 2020-2021
10 through 2025-2026. For a school entity that uses a third-party
11 entity to provide substitute teachers, the rate reported by the
12 school entity shall be the take-home amount received by an
13 individual, excluding the portion paid to the third-party
14 entity. The department shall issue rules necessary to effectuate
15 this subsection.

16 (f) By April 15, 2026, the department shall issue a report
17 on the effectiveness of the classroom monitor permit and
18 recommendations for improvement or continuation of the permit.
19 The report shall include, but not be limited to, the information
20 reported to the department under subsection (e) and a formal
21 evaluation of the permit and its effectiveness by an independent
22 research organization which may include a college or university
23 accredited by a regional accrediting agency. The report shall be
24 submitted to the General Assembly and the State Board and shall
25 be posted on the department's publicly accessible Internet
26 website.

27 (g) This section shall expire on June 30, 2026.

28 Section 7. The act is amended by adding articles to read:

29 Amend Bill, page 25, line 2, by striking out all of said line
30 and inserting

31 ARTICLE XII-C

32 EDUCATOR PIPELINE SUPPORT GRANT PROGRAM

33 Section 1201-C. Scope of article.

34 This article relates to educator workforce.

35 Section 1202-C. Definitions.

36 The following words and phrases when used in this article
37 shall have the meanings given to them in this section unless the
38 context clearly indicates otherwise:

39 "Agency." The Pennsylvania Higher Education Assistance
40 Agency.

41 "Approved educator preparation program." A sequence of
42 courses and experiences offered by an institution of higher
43 education that is reviewed and approved by the department.

44 "Cooperating teacher." An individual who satisfies all of
45 the following:

46 (1) Holds a certification under section 1201 in the
47 subject area in which the individual will be providing
48 guidance to the student teacher.

49 (2) Has received at least three years of satisfactory

1 ratings as a certified teacher.

2 (3) Has at least one year of certificated teaching
3 experience in the school entity where the student teacher is
4 placed.

5 "Department." The Department of Education of the
6 Commonwealth.

7 "Institution of higher education." A college or university
8 that offers a program approved by the department to prepare
9 professional personnel for employment in a school entity in
10 accordance with 22 Pa. Code Ch. 49 (relating to certification of
11 professional personnel).

12 "Nonpublic school." As defined in section 923.3-A(b).

13 "Program." The Educator Pipeline Support Grant Program
14 established under section 1203-C.

15 "School entity." A school district, intermediate unit, area
16 career and technical school, charter school, regional charter
17 school or cyber charter school operating within this
18 Commonwealth.

19 "Student teacher." An individual participating in a
20 classroom teaching experience who, as part of an approved
21 educator preparation program for the initial or advanced
22 preparation of professional educators, performs classroom
23 teaching or assists in a school entity's or nonpublic school's
24 education program under the supervision of a cooperating
25 teacher.

26 Section 1203-C. Program establishment and duties of agency.

27 (a) Establishment.--The Educator Pipeline Support Grant
28 Program is established within the agency.

29 (b) Duties.--The agency, in consultation with the
30 department, shall administer the program and, in the agency's
31 sole discretion, award a grant to an individual who submits a
32 completed application and satisfies the eligibility requirements
33 under section 1204-C.

34 (c) Application.--No later than 120 days after the effective
35 date of this subsection, the agency shall develop and make
36 available an application form that an individual who is seeking
37 placement as a student teacher may use to apply for a grant
38 under the program.

39 (d) (Reserved).

40 (e) Grant amount.--

41 (1) A student teacher shall receive a minimum grant of
42 \$10,000.

43 (2) A payment received by an individual under this
44 article shall not be included in classes of income under
45 section 303 of the act of March 4, 1971 (P.L.6, No.2), known
46 as the Tax Reform Code of 1971.

47 (f) Additional grant amount for certain areas.--

48 (1) An eligible student teacher who completes required
49 student teaching in a school entity in an area of this
50 Commonwealth that attracts few student teachers or that has a
51 high rate of open teaching positions shall, in addition to

1 the amount awarded under subsection (e)(1), receive a minimum
2 grant amount of \$5,000. The agency, in consultation with the
3 department, shall utilize data from the department to
4 determine the areas identified in this paragraph.

5 (2) For the purposes of computing the tax under Article
6 III of the Tax Reform Code of 1971, the classes of income
7 under section 303 of the Tax Reform Code of 1971 shall not
8 include a payment received by an individual under this
9 article.

10 (g) Funding.--

11 (1) The agency shall use money appropriated for the
12 purpose of the program and may accept funding from public and
13 private sources, including the Federal Government, for the
14 payment of grants under this section.

15 (2) If the agency determines that the demand for the
16 program exceeds the available resources, the agency may
17 request additional funding as part of the agency's budget
18 request for the next fiscal year in accordance with section
19 610 of the act of April 9, 1929 (P.L.177, No.175), known as
20 The Administrative Code of 1929.

21 (h) Additional duties.--When the agency awards a grant to a
22 student teacher under this article, the agency shall also award
23 a grant payment to the student teacher's cooperating teacher.
24 The cooperating teacher shall receive a minimum grant of \$2,500.
25 The agency may reduce the grant award amount to a cooperating
26 teacher if the cooperating teacher receives compensation from an
27 institution of higher education for serving as a cooperating
28 teacher. An institution of higher education may not charge a
29 student teacher who receives a grant for the cost of paying a
30 cooperating teacher.

31 (i) Dissemination of information.--The agency shall annually
32 provide information about the program on the department's
33 publicly accessible Internet website and to all approved
34 educator preparation programs and public and nonpublic secondary
35 schools. An approved educator preparation program shall annually
36 disseminate information about the program, including information
37 identifying the school entities that qualify the student for an
38 additional grant award amount under subsection (f).

39 (j) Payment.--The agency shall establish a method for paying
40 grant awards under the program to a school entity or nonpublic
41 school. The school entity or nonpublic school shall use all of
42 the money received under the program for payment to student
43 teachers and cooperating teachers as required by this section
44 and the agency.

45 (k) Administrative fee.--The agency may take a reasonable
46 administrative fee for direct costs associated with the
47 implementation, administration and servicing of the program. The
48 fee shall be taken from the funding received under subsection
49 (g) and may not exceed 5%.

50 Section 1204-C. Eligibility.

51 (a) Eligibility.--For an individual to be eligible for a

1 grant as a student teacher under the program, the individual
2 shall meet all of the following:

3 (1) Be currently enrolled in an institution of higher
4 education located in this Commonwealth.

5 (2) Be currently enrolled in an approved educator
6 preparation program.

7 (3) Meet the minimum grade point average established
8 under 22 Pa. Code § 354.24 (relating to academic
9 performance).

10 (4) Be placed in a position as a student teacher at a
11 school entity or nonpublic school located in this
12 Commonwealth.

13 (5) Have obtained the necessary clearances required
14 under section 111 and 23 Pa.C.S. § 6344(a.1) (relating to
15 employees having contact with children; adoptive and foster
16 parents).

17 (6) Agree to work as a teacher at a school entity or
18 nonpublic school in this Commonwealth for a period of no less
19 than three years, unless the agency determines that there are
20 extenuating circumstances.

21 (b) Construction.--Nothing in this section shall be deemed
22 to create a right of an individual to receive a grant under the
23 program.

24 (c) Limitation.--An individual may not receive more than one
25 grant from the agency under the program as a student teacher.
26 This subsection shall not apply to grants received by a
27 cooperating teacher.

28 Section 1205-C. Report.

29 (a) General rule.--The agency shall prepare and submit to
30 the Governor, the Secretary of Education and the General
31 Assembly no later than December 31, 2024, and each December 31
32 thereafter, to the extent that funds are available, a report
33 detailing the operation of the program. The report shall, at a
34 minimum, include:

35 (1) The number of applicants.

36 (2) The number of applicants who received a grant under
37 the program.

38 (3) The number of applicants who received an additional
39 award under section 1203-C(f).

40 (4) A list of school entities or nonpublic schools where
41 an applicant served as a student teacher.

42 (5) A list of approved educator preparation programs
43 where applicants who were awarded a grant were enrolled.

44 (6) A list of school entities where grantees are
45 employed following certification.

46 (7) The number of applicants who did not fulfill the
47 requirements under section 1204-C(a)(6).

48 (8) Any other information the agency determines.

49 (b) Coordination.--The department and the Department of
50 Labor and Industry shall assist the agency by providing
51 necessary data to determine outcomes related to the program.

1 Section 1206-C. Data collection.

2 (a) Student teaching placement data.--The department shall
3 maintain a database of student teaching opportunities for the
4 upcoming school year. The following shall apply to the database:

5 (1) A school entity or nonpublic school who is
6 interested in hosting a student teacher may submit to the
7 department the number of student teachers the school entity
8 or nonpublic school is seeking for the upcoming school year.
9 If a school entity's or nonpublic school's request for
10 student teachers from the previous school year was not
11 fulfilled, the school entity or nonpublic school may report
12 the shortage of requested student teachers.

13 (2) Each approved educator preparation program shall
14 submit to the department the number of student teachers
15 placed by the approved educator preparation program in the
16 previous school year. If the approved educator preparation
17 program had more requests for student teachers than available
18 student teachers, the approved educator preparation program
19 shall report the shortage of available student teachers to
20 the department.

21 (3) No later than July 31, 2024, and each July 31
22 thereafter, each approved educator preparation program shall
23 report:

24 (i) The number of agreements between approved
25 educator preparation programs and school entities or
26 nonpublic schools for the purpose of placing student
27 teachers.

28 (ii) The name of each school entity or nonpublic
29 school with which an approved educator preparation
30 program entered into an agreement.

31 (iii) The number of student teachers placed in the
32 previous year by an approved educator preparation program
33 and the school entity or nonpublic school at which the
34 student teacher was placed.

35 (b) (Reserved).

36 Section 1207-C. Miscellaneous provisions.

37 (a) Institutions of higher education.--Within one year of
38 the effective date of this section, if an institution of higher
39 education requires a student enrolled in an approved educator
40 preparation program to take a class or seminar as part of the
41 student teaching experience while the student is participating
42 in a student teaching program, the institution of higher
43 education shall provide the student with the ability to
44 participate in the class or seminar by virtual means.

45 (b) Credit.--If a student teacher receives a grant under the
46 program, an approved educator preparation program may not
47 prohibit the student teacher from receiving academic credit for
48 participating in a student teacher experience if the student
49 teacher successfully completes the student teaching experience.

50 Section 8. Article XIII-A heading and sections 1301-A and
51 1302-A of the act are amended to read:

ARTICLE XIII-A.

[SAFE SCHOOLS] STUDENT SUPPORTS.

Section 1301-A. Definitions.--As used in this article, "Chief school administrator" shall mean the superintendent of a public school district, superintendent of an area career and technical school, executive director of an intermediate unit or chief executive officer of a charter school.

["Office" shall mean the Office for Safe Schools within the Department of Education.]

"School entity" shall mean any public school district, intermediate unit, area career and technical school or charter school.

"School-based diversion programs" shall mean programs [that, in partnership with other stakeholders, divert youth out of the juvenile justice system.] and interventions designed to redirect youth who commit minor offenses in school from exclusionary disciplinary practices or formal processing in the juvenile justice system, while still holding the student accountable for the student's actions. These programs include, but are not limited to, youth aid panels [in which a panel of community members decide an appropriate resolution to hold the student accountable for the student's actions by, among other options, requiring the student to complete educational activities, community service, restitution and any other related program or service.], positive youth development programming, teen/youth courts, restorative justice interventions, truancy prevention and intervention programs, mentoring programs and intervention programs and educational practices to assist students with persistent disruptive and serious problem behaviors.

"School property" shall mean any public school grounds, any school-sponsored activity or any conveyance providing transportation to a school entity or school-sponsored activity.

"School-wide positive behavior support" means a school-wide, evidence-based [and data-driven approach to improving school behavior that seeks to reduce unnecessary student disciplinary actions and promote a climate of greater productivity, safety and learning] tiered framework for supporting students' behavioral, academic, social, emotional and mental health.

["Student with a disability" shall mean a student who meets the definition of "child with a disability" under the Individuals with Disabilities Education Act (Public Law 91-230, 20 U.S.C. § 1400 et seq.) or who meets the definition of a "handicapped person" under section 504 of the Rehabilitation Act of 1973 (Public Law 93-112, 29 U.S.C. § 794) and its implementing regulations (34 C.F.R. § 104.3(j)). The term includes a student for whom an evaluation is pending under either the Individuals with Disabilities Education Act or Rehabilitation Act.]

"Weapon" shall include, but not be limited to, any knife, cutting instrument, cutting tool, nunchaku, firearm, shotgun, rifle and any other tool, instrument or implement capable of

1 inflicting serious bodily injury.

2 Section 1302-A. [Office for Safe Schools] Student
3 Supports.--(a) [There is hereby established in the Department
4 of Education an Office for Safe Schools.] (Reserved).

5 (b) The [office] Department of Education shall have the
6 power and duty to implement the following:

7 (1) [To coordinate antiviolence efforts between school,
8 professional, parental, governmental, law enforcement and
9 community organizations and associations.

10 (2) To collect, develop and disseminate information,
11 policies, strategies and other information to assist in the
12 development of programs to impact school violence.

13 (2.1) To direct all school entities to submit annual school
14 violence statistics and reports to the office no later than July
15 31 of each year.

16 (3)] To collect, develop and disseminate information,
17 policies, strategies and other information to assist in the
18 development of programs that support students, reduce
19 unnecessary student disciplinary actions and promote an
20 environment of greater productivity, safety and learning,
21 including, but not limited to:

22 (i) School-wide positive behavior support that includes
23 primary or universal, secondary and tertiary supports and
24 interventions in school entities.

25 (ii) School-based diversion programs.

26 (iii) Classroom management.

27 (iv) Student discipline.

28 (v) Student codes of conduct.

29 (vi) Training to assess risk factors that increase the
30 likelihood of problem behaviors among students.

31 (vii) Conflict resolution and dispute management.

32 (viii) Staff training programs in the use of positive
33 behavior supports, de-escalation techniques, appropriate
34 responses to student behavior that may require immediate
35 intervention and trauma-informed treatment for mental health
36 providers in schools.

37 (ix) Research-based violence prevention programs that
38 address risk factors to reduce incidents of problem behaviors
39 among students, including, but not limited to, mental health
40 early intervention, self-care, bullying and suicide awareness
41 and prevention.

42 (x) Risk assessment, safety-related, violence prevention
43 curricula, including dating violence curricula, restorative
44 justice strategies, mental health early intervention, self-care
45 and suicide awareness and prevention curricula.

46 (xi) Evidence-based screenings for adverse childhood
47 experiences that are proven to be determinants of physical,
48 social and behavioral health and provide trauma-informed
49 counseling services as necessary to students based upon the
50 screening results.

51 (xii) Trauma-informed approaches that increase student and

1 school employee access to quality trauma support services and
2 behavioral health care.

3 (2) To provide direct training to school employes, parents,
4 law enforcement officials and communities on effective measures
5 to [prevent and combat school violence.

6 (4)] maintain and improve learning environments for students
7 and staff.

8 (3) To [advise] assist in collaboration and coordination
9 with the School Safety and Security Committee established under
10 section 1302-B school entities and nonpublic schools on the
11 development of policies to be used regarding possession of
12 weapons by any person, acts of violence and protocols for
13 coordination with and reporting to law enforcement officials and
14 the Department of Education.

15 [(4.1)] (4) To verify the existence of corrective action
16 plans to reduce incidents of violence as required in the [No
17 Child Left Behind Act of 2001 (Public Law 107-110, 115 Stat.
18 1425).] Every Student Succeeds Act (Public Law 114-95, 129 Stat.
19 1802).

20 (5) To develop in collaboration and coordination with the
21 School Safety and Security Committee established under section
22 1302-B forms to be used by school entities and police
23 departments for reporting incidents involving acts of violence
24 and possession of weapons on school property. The forms shall be
25 reviewed on a biennial basis and revised when necessary.

26 [(6) To verify that each school entity has a biennially
27 updated and reexecuted memorandum of understanding with local
28 law enforcement and has filed such memorandum with the office on
29 a biennial basis.

30 (7) To publish and post on the Department of Education's
31 Internet website a School Safety Annual Report no later than
32 November 1 of each calendar year outlining all incidents
33 required to be reported under section 1303-A and any school
34 district that failed to submit a report under section 1303-A.

35 (8) To establish criteria, in consultation with the
36 Pennsylvania State Police, for certifying approved vendors to
37 provide school police officers to nonpublic schools for the
38 purposes of awarding grants under subsection (c.1)(3).

39 (9) To publish and post on the Department of Education's
40 publicly accessible Internet website a listing of all approved
41 vendors under paragraph (8).]

42 (b.1) The [office] Department of Education shall process and
43 tabulate the data on an annual basis to assist school
44 administrators, the School Safety and Security Committee
45 established under section 1302-B and law enforcement officials
46 in their duties under this article.

47 [(c) In addition to the powers and duties set forth under
48 subsection (b), the office is authorized to make targeted grants
49 to school entities, and to intermediate units on behalf of
50 nonpublic schools, to fund programs which address school
51 violence, including:

1 (1) Conflict resolution or dispute management, including
2 restorative justice strategies.

3 (1.1) School-wide positive behavior support that includes
4 primary or universal, secondary and tertiary supports and
5 interventions in school entities.

6 (1.2) School-based diversion programs.

7 (2) Peer helpers programs.

8 (3) Risk assessment, safety-related, violence prevention
9 curricula, including, but not limited to, dating violence
10 curricula and restorative justice strategies.

11 (4) Classroom management.

12 (5) Student codes of conduct.

13 (6) Training to undertake a districtwide assessment of risk
14 factors that increase the likelihood of problem behaviors among
15 students.

16 (7) Development and implementation of research-based
17 violence prevention programs that address risk factors to reduce
18 incidents of problem behaviors among students including, but not
19 limited to, bullying.

20 (8) Comprehensive, districtwide school safety, violence
21 prevention, emergency preparedness and all-hazards plans,
22 including revisions or updates to such plans and conducting
23 emergency preparedness drills and related activities with local
24 emergency responders.

25 (9) Security planning, purchase of security-related
26 technology which may include metal detectors, protective
27 lighting, surveillance equipment, special emergency
28 communications equipment, electronic locksets, deadbolts and
29 theft control devices and training in the use of security-
30 related technology. Security planning and purchase of security-
31 related technology shall be based on safety needs identified by
32 the school entity's board of directors.

33 (10) Institution of student, staff and visitor
34 identification systems, including criminal background check
35 software.

36 (12) Provision of specialized staff and student training
37 programs, including training for Student Assistance Program team
38 members in elementary, middle and high schools in the referral
39 of students at risk of violent behavior to appropriate
40 community-based services, including mental health services.

41 (13) Alternative education programs provided for in Article
42 XIX-C.

43 (14) Counseling services for students enrolled in
44 alternative education programs.

45 (15) An Internet web-based system for the management of
46 student discipline, including misconduct and criminal offenses.

47 (16) Staff training programs in the use of positive behavior
48 supports, de-escalation techniques and appropriate responses to
49 student behavior that may require immediate intervention.

50 (17) The implementation of Article XIII-E.

51 (c.1) (1) In addition to the powers and duties set forth

1 under subsections (b) and (c), the office is authorized to make
2 targeted grants to school entities, municipalities, local law
3 enforcement agencies and approved vendors to fund programs which
4 address school violence by establishing or enhancing school
5 security, including costs associated with the training and
6 compensation of school resource officers and school police
7 officers. Municipalities or local law enforcement agencies that
8 receive grants under this subsection shall, with the prior
9 consent of the governing board of the school entity or nonpublic
10 school, assign school resource officers to carry out their
11 official duties on the premises of the school entity or
12 nonpublic school.

13 (2) Municipalities or local law enforcement agencies may not
14 receive grant funds under this subsection for any purpose other
15 than for costs associated with school resource officers and are
16 not eligible for other grants provided to school entities under
17 this section. In assigning school resource officers pursuant to
18 this subsection, municipalities shall take into consideration
19 the proportion of students enrolled in each school entity or
20 nonpublic school.

21 (3) Nonpublic schools are authorized to apply to the office
22 for grant funding under paragraph (1) to be used for the costs
23 associated with obtaining the services of a school police
24 officer from a list of approved vendors certified by the office.
25 Grant awards for this purpose shall be awarded and paid directly
26 to the approved vendor with which the nonpublic school contracts
27 for services. Nonpublic schools may not apply for grant funding
28 under this section for any purpose other than obtaining the
29 services of a school police officer under this paragraph.

30 (d) The office shall have the following duties as to
31 targeted grants:

32 (1) Targeted grants shall be allocated through a competitive
33 grant review process established by the office. School entities
34 must satisfy the requirements of this section and section 1303-A
35 to be eligible for grants. The application for a targeted grant
36 shall include:

37 (i) the purpose for which the targeted grant shall be
38 utilized;

39 (ii) information indicating need for the targeted grant,
40 including, but not limited to, school violence statistics;

41 (iii) an estimated budget;

42 (iv) methods for measuring outcomes; and

43 (v) any other criteria as the office may require.

44 (2) The office shall:

45 (i) Give priority in grant funding under subsection (c) to a
46 school entity designated as a persistently dangerous school as
47 defined in 22 Pa. Code § 403.2 (relating to definitions).

48 (ii) Give priority in grant funding under subsection (c) to
49 school entities with the greatest need to establish safety and
50 order.

51 (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
31 indemnity).

32 (G) Are utilized by a school entity or nonpublic school that
33 has not employed a school police officer within the three years
34 immediately preceding the effective date of this clause.
35 Nothing in this clause shall be construed to impact on grant
36 decisions for school entities, municipalities or local law
37 enforcement agencies that apply for funding for hiring of school
38 resource officers pursuant to subsection (c.1).

39 (3) The office shall provide all targeted grant agreements
40 to the Department of Education's comptroller for review and
41 approval prior to awarding the grant. The school entity,
42 municipality, local law enforcement agency or approved vendor
43 shall provide the office with full and complete access to all
44 records relating to the performance of the grant, and shall
45 submit, at such time and in such form as may be prescribed,
46 truthful and accurate information that the office may require.
47 The office shall conduct a thorough annual evaluation of each
48 program for which a grant under this section is made. The office
49 shall seek repayment of funds if it determines that funds were
50 not utilized for the original stated purpose.

51 (e) For any fiscal year prior to 2019-2020, the sum

1 appropriated annually to the Department of Education for the
2 purpose of making targeted grants under this section shall be
3 allocated as follows:

4 (1) Twenty-five percent of the sum shall be allocated for
5 grants under subsection (c).

6 (2) Seventy-five percent of the sum shall be allocated for
7 grants under subsection (c.1).

8 (e.1) Any grant funding allocated under subsection (c.1)
9 above the amount allocated in fiscal year 2017-2018 may be
10 prioritized for nonpublic schools.

11 (e.2) Beginning in fiscal year 2019-2020, grants awarded
12 under subsection (c.1) shall not exceed the amount awarded in
13 fiscal year 2018-2019 under that subsection and no less than
14 \$3,200,000 shall be awarded to intermediate units on behalf of
15 nonpublic schools under subsection (c).

16 (f) As used in this section, "school entity" shall have the
17 same meaning given to it under section 222(c).]

18 Section 9. Sections 1302.1-A and 1303-A of the act are
19 repealed:

20 [Section 1302.1-A. Regulations.--(a) Within one year of the
21 effective date of this section, the State Board of Education
22 shall promulgate final-omitted regulations pursuant to the act
23 of June 25, 1982 (P.L.633, No.181), known as the "Regulatory
24 Review Act," necessary to implement this article. The
25 regulations shall include the following:

26 (1) A model memorandum of understanding between school
27 entities and local police departments. The model memorandum of
28 understanding shall be reviewed on a biennial basis and revised
29 where necessary. The State Board of Education may revise the
30 model memorandum of understanding by publishing a notice in the
31 Pennsylvania Bulletin that contains the complete revised model
32 memorandum of understanding. The revised model memorandum of
33 understanding shall be incorporated into the Pennsylvania Code
34 in place of the existing model memorandum of understanding.

35 (2) Protocol for the notification of the police department
36 when an offense listed under section 1303-A(b)(4.1) occurs on
37 school property, which shall include a requirement that the
38 local police department be notified immediately when such an
39 offense occurs.

40 (3) Protocol for the notification of the police department
41 at the discretion of the chief school administrator regarding an
42 offense listed under section 1303-A(b)(4.2) or any other offense
43 that occurs on school property.

44 (4) Protocol for emergency and nonemergency response by the
45 police department, which shall include a requirement that the
46 school district shall supply the police department with a copy
47 of the comprehensive disaster response and emergency
48 preparedness plan as required by 35 Pa.C.S. § 7701(g) (relating
49 to duties concerning disaster prevention).

50 (5) Procedures and protocols for the response and handling
51 of students with a disability, including procedures related to

1 student behavior as required by 22 Pa. Code §§ 14.104 (relating
2 to special education plans) and 14.133 (relating to positive
3 behavior support).

4 (b) (1) In promulgating the regulations required under
5 subsection (a), the State Board of Education shall convene and
6 consult with a Statewide advisory committee which shall include
7 a police chief, juvenile public defender, school superintendent,
8 school principal, district attorney, solicitor of a school
9 district, special education supervisor, special education
10 advocate and in-school probation officer and one designee from
11 the Department of Education, the Pennsylvania Commission on
12 Crime and Delinquency, the Municipal Police Officers' Education
13 and Training Commission, the Juvenile Court Judges' Commission
14 and the Pennsylvania State Police.

15 (2) Members of the committee shall be selected to be
16 representative of the rural, suburban and urban school entities
17 of this Commonwealth.

18 (3) The advisory committee shall be convened no later than
19 sixty (60) days after the effective date of this section and
20 shall meet regularly to fulfill the requirements of this
21 section.

22 Section 1303-A. Reporting.--(a) The office shall conduct a
23 one-time survey of all school entities to determine the number
24 of incidents involving acts of violence on school property and
25 all cases involving possession of a weapon by any person on
26 school property which occurred within the last five (5) years.
27 The survey shall be based on the best available information
28 provided by school entities.

29 (b) Each chief school administrator shall report to the
30 office by July 31 of each year all new incidents involving acts
31 of violence, possession of a weapon or possession, use or sale
32 of controlled substances as defined in the act of April 14, 1972
33 (P.L.233, No.64), known as "The Controlled Substance, Drug,
34 Device and Cosmetic Act," or possession, use or sale of alcohol
35 or tobacco by any person on school property. The incidents to be
36 reported to the office shall include all incidents involving
37 conduct that constitutes a criminal offense listed under
38 paragraphs (4.1) and (4.2). Reports on a form to be developed
39 and provided by the office shall include:

40 (1) Age or grade of student.

41 (2) Name and address of school.

42 (3) Circumstances surrounding the incident, including, but
43 not limited to, type of weapon, controlled substance, alcohol or
44 tobacco, the date, time and location of the incident, if a
45 person other than a student is involved in the incident and any
46 relationship to the school entity.

47 (3.1) Race of student.

48 (3.2) Whether the student has an Individualized Education
49 Plan under the Individuals with Disabilities Education Act
50 (Public Law 91-230, 20 U.S.C. § 1400 et seq.), and if so, the
51 type of disability.

1 (4) Sanction imposed by the school.
2 (4.1) A list of criminal offenses which shall, at a minimum,
3 include:
4 (i) The following offenses under 18 Pa.C.S. (relating to
5 crimes and offenses):
6 Section 908 (relating to prohibited offensive weapons).
7 Section 912 (relating to possession of weapon on school
8 property).
9 Chapter 25 (relating to criminal homicide).
10 Section 2702 (relating to aggravated assault).
11 Section 2709.1 (relating to stalking).
12 Section 2901 (relating to kidnapping).
13 Section 2902 (relating to unlawful restraint).
14 Section 3121 (relating to rape).
15 Section 3122.1 (relating to statutory sexual assault).
16 Section 3123 (relating to involuntary deviate sexual
17 intercourse).
18 Section 3124.1 (relating to sexual assault).
19 Section 3124.2 (relating to institutional sexual assault).
20 Section 3125 (relating to aggravated indecent assault).
21 Section 3126 (relating to indecent assault).
22 Section 3301 (relating to arson and related offenses).
23 Section 3307 (relating to institutional vandalism) when the
24 penalty is a felony of the third degree.
25 Section 3502 (relating to burglary).
26 Section 3503(a) and (b)(1)(v) (relating to criminal
27 trespass).
28 Section 5501 (relating to riot).
29 Section 6110.1 (relating to possession of firearm by minor).
30 (ii) The possession, use or sale of a controlled substance
31 or drug paraphernalia as defined in "The Controlled Substance,
32 Drug, Device and Cosmetic Act."
33 (iii) Attempts, solicitation or conspiracy to commit any of
34 the offenses listed in subclauses (i) and (ii).
35 (iv) An offense for which registration is required under 42
36 Pa.C.S. § 9795.1 (relating to registration).
37 (4.2) The following offenses under 18 Pa.C.S., and any
38 attempt, solicitation or conspiracy to commit any of these
39 offenses:
40 Section 2701 (relating to simple assault).
41 Section 2705 (relating to recklessly endangering another
42 person).
43 Section 2706 (relating to terroristic threats).
44 Section 2709 (relating to harassment).
45 Section 3127 (relating to indecent exposure).
46 Section 3307 (relating to institutional vandalism) when the
47 penalty is a misdemeanor of the second degree.
48 Section 3503(b)(1)(i), (ii), (iii) and (iv), (b.1) and (b.2)
49 (relating to criminal trespass).
50 Chapter 39 (relating to theft and related offenses).
51 Section 5502 (relating to failure of disorderly persons to

1 disperse upon official order).
2 Section 5503 (relating to disorderly conduct).
3 Section 6305 (relating to sale of tobacco).
4 Section 6306.1 (relating to use of tobacco in schools
5 prohibited).
6 Section 6308 (relating to purchase, consumption, possession
7 or transportation of liquor or malt or brewed beverages).
8 (5) Notification of law enforcement.
9 (6) Remedial programs involved.
10 (7) Parental involvement required.
11 (8) Arrests, convictions and adjudications, if known.
12 (b.1) Prior to submitting the report required under
13 subsection (b), each chief school administrator and each police
14 department having jurisdiction over school property of the
15 school entity shall do all of the following:
16 (1) No later than thirty (30) days prior to the deadline for
17 submitting the report to the office required under subsection
18 (b), the chief school administrator shall submit the report to
19 the police department with jurisdiction over the relevant school
20 property. The police department shall review the report and
21 compare the data regarding criminal offenses and notification of
22 law enforcement to determine whether the report accurately
23 reflects police incident data.
24 (2) No later than fifteen (15) days prior to the deadline
25 for the chief school administrator to submit the report required
26 under subsection (b), the police department shall notify the
27 chief school administrator, in writing, whether the report
28 accurately reflects police incident data. Where the police
29 department determines that the report accurately reflects police
30 incident data, the chief of police shall sign the report. Where
31 the police department determines that the report does not
32 accurately reflect police incident data, the police department
33 shall indicate any discrepancies between the report and police
34 incident data.
35 (3) Prior to submitting the report required under subsection
36 (b), the chief school administrator and the police department
37 shall attempt to resolve discrepancies between the report and
38 police incident data. Where a discrepancy remains unresolved,
39 the police department shall notify the chief school
40 administrator and the office in writing.
41 (4) Where a police department fails to take action as
42 required under paragraph (2) or (3), the chief school
43 administrator shall submit the report required under subsection
44 (b) and indicate that the police department failed to take
45 action as required under paragraph (2) or (3).
46 (c) Each chief school administrator shall form an advisory
47 committee composed of relevant school staff, including, but not
48 limited to, principals, security personnel, school resource
49 officers, guidance counselors and special education
50 administrators, to assist in the development of a memorandum of
51 understanding pursuant to this section. In consultation with the

1 advisory committee, each chief school administrator shall enter
2 into a memorandum of understanding with police departments
3 having jurisdiction over school property of the school entity.
4 Each chief school administrator shall submit a copy of the
5 memorandum of understanding to the office by June 30, 2011, and
6 biennially update and re-execute a memorandum of understanding
7 with local law enforcement and file such memorandum with the
8 office on a biennial basis. The memorandum of understanding
9 shall be signed by the chief school administrator, the chief of
10 police of the police department with jurisdiction over the
11 relevant school property and principals of each school building
12 of the school entity. The memorandum of understanding shall
13 comply with the regulations promulgated by the State Board of
14 Education under section 1302.1-A and shall also include:

15 (1) The procedure for police department review of the annual
16 report required under subsection (b) prior to the chief school
17 administrator filing the report required under subsection (b)
18 with the office.

19 (2) A procedure for the resolution of school violence data
20 discrepancies in the report prior to filing the report required
21 under subsection (b) with the office.

22 (3) Additional matters pertaining to crime prevention agreed
23 to between the chief school administrator and the police
24 department.

25 (d) Pursuant to section 615 of the Individuals with
26 Disabilities Education Act (Public Law 91-230, 20 U.S.C. §
27 1415(k)(6)), nothing in section 1302.1-A or this section shall
28 be construed to prohibit a school entity from reporting a crime
29 committed by a child with a disability to appropriate
30 authorities or to prevent State law enforcement and judicial
31 authorities from exercising their responsibilities with regard
32 to the application of Federal and State law to crimes committed
33 by a child with a disability.

34 (e) (1) Notwithstanding any provision of law to the
35 contrary, the Department of Education may initiate disciplinary
36 action before the Professional Standards and Practices
37 Commission pursuant to the act of December 12, 1973 (P.L.397,
38 No.141), known as the "Professional Educator Discipline Act,"
39 against a chief school administrator or principal of a school
40 entity who intentionally fails to submit the report as required
41 under subsection (b) or enter into the memorandum of
42 understanding with the police department with jurisdiction over
43 the relevant school property, report an incident involving an
44 act of violence, possession of a weapon or an offense listed
45 under subsection (b)(4.1) that occurs on school property to a
46 police department or submit a copy of the memorandum of
47 understanding to the office as required under subsection (c) or
48 who intentionally falsifies a report submitted as required under
49 this section.

50 (2) In addition to any other disciplinary actions set forth
51 in the "Professional Educator Discipline Act," a chief school

1 administrator or principal of a school entity who intentionally
2 fails to submit the report as required under subsection (b) or
3 enter into the memorandum of understanding with the police
4 department with jurisdiction over the relevant school property,
5 report an incident involving an act of violence, possession of a
6 weapon or an offense cited under subsection (b)(4.1) that occurs
7 on school property to a police department or submit a copy of
8 the memorandum of understanding to the office as required under
9 subsection (c) or who intentionally falsifies a report submitted
10 as required under this section shall be subject to prosecution
11 for violation of 18 Pa.C.S. § 4904 (relating to unsworn
12 falsification to authorities). The following civil penalties may
13 be imposed by the Professional Standards and Practices
14 Commission for violations of this article:

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

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

20 Section 10. Sections 1303.1-A(c) and (d) and 1307-A of the
21 act are amended to read:

22 Section 1303.1-A. Policy Relating to Bullying.--* * *

23 (c) Each school entity shall review its policy every three
24 (3) years and annually provide the [office] Department of
25 Education with a copy of its policy relating to bullying,
26 including information related to the development and
27 implementation of any bullying prevention, intervention and
28 education programs. The information required under this
29 subsection shall be attached to or made part of the annual
30 report required under section [1303-A(b)] 1319-B(b).

31 (d) In its policy relating to bullying adopted or maintained
32 under subsection (a), a school entity shall not be prohibited
33 from defining bullying in such a way as to encompass acts that
34 occur outside a school setting if those acts meet the
35 requirements contained in subsection (e)(1), (3) and (4). If a
36 school entity reports acts of bullying to the [office]
37 Department of Education in accordance with section [1303-A(b)]
38 1319-B(b), it shall report all incidents that qualify as
39 bullying under the entity's adopted definition of that term.

40 * * *

41 Section 1307-A. Maintenance of Records.--All school entities
42 and private schools within this Commonwealth shall maintain
43 updated records of all incidents of violence, incidents
44 involving possession of a weapon and convictions or
45 adjudications of delinquency for acts committed on school
46 property by students enrolled therein on both a district-wide
47 and school-by-school basis. Records maintained under this
48 section shall be contained in a format developed by the
49 Pennsylvania State Police in cooperation with the [office within
50 ninety (90) days of the effective date of this section]
51 Department of Education. A statistical summary of these records

1 shall be made accessible to the public for examination by the
2 public during regular business hours.

3 Section 11. Sections 1310-A, 1311-A, 1312-A and 1313-A of
4 the act are repealed:

5 [Section 1310-A. Safe Schools Advocate in School Districts
6 of the First Class.--(a) The Executive Director of the
7 Pennsylvania Commission on Crime and Delinquency shall
8 establish, within the commission, a safe schools advocate for
9 each school district of the first class. The advocate shall not
10 be subject to the act of August 5, 1941 (P.L.752, No.286), known
11 as the "Civil Service Act." The advocate shall establish and
12 maintain an office within the school district.

13 (b) The safe schools advocate shall have the power and its
14 duties shall be:

15 (1) To monitor the school district's compliance with this
16 article, including:

17 (i) the school district's reporting to the office of
18 incidents involving acts of violence, possession of a weapon or
19 possession, use or sale of controlled substances as defined in
20 the act of April 14, 1972 (P.L.233, No.64), known as "The
21 Controlled Substance, Drug, Device and Cosmetic Act," or
22 possession, use or sale of alcohol or tobacco by any person on
23 school property;

24 (ii) obtaining copies of the school district's reports to
25 the office and reviewing and analyzing them;

26 (iii) the school district's compliance with the procedures
27 set forth in the memorandum of understanding with the
28 appropriate police department regarding incidents involving acts
29 of violence and possession of weapons; and

30 (iv) obtaining documentation, on a weekly basis during those
31 times when school is in session, of all written or verbal
32 contacts by school district personnel with the appropriate
33 police department consistent with the requirements of the
34 memorandum of understanding.

35 (2) To monitor the school district's compliance with the
36 mandatory expulsion requirements of sections 1317.2 and 1318.1.

37 (3) To receive inquiries from school staff and parents or
38 guardians of students who are victims of acts of violence on
39 school property.

40 (4) To establish a protocol, in consultation with the
41 Juvenile Court Judges' Commission, to assure timely receipt by
42 the school district of information regarding students who have
43 been adjudicated delinquent pursuant to 42 Pa.C.S. § 6341(b.1)
44 (relating to adjudication) and to monitor the school district's
45 use of that information to ensure that victims of acts of
46 violence by a student are protected.

47 (5) To establish a program to assure extensive and
48 continuing public awareness of information regarding the role of
49 the advocate on behalf of victims of acts of violence on school
50 property, which may include the mailing of information to the
51 parents or guardians of students in the school district or other

1 forms of communication.

2 (6) To review and analyze Federal and State statutes which
3 may be an impediment to school safety and the imposition of
4 discipline for the commission of acts of violence on school
5 property and to prepare, by April 30, 2001, and as necessary
6 from time to time thereafter, reports making recommendations for
7 changes to the statutes which would promote school safety and
8 facilitate effective and expedient disciplinary action. The
9 reports shall be submitted to the secretary and the Executive
10 Director of the Pennsylvania Commission on Crime and
11 Delinquency.

12 (7) To review and analyze court decisions applicable to the
13 school district's disciplinary process and procedures, to make
14 recommendations to the school district regarding any negative
15 impact these decisions have upon the effective maintenance of
16 school safety and to make recommendations relating to the
17 existing provisions of consent decrees.

18 (8) To prepare an annual report regarding the activities of
19 the advocate during the prior fiscal year and any
20 recommendations for remedial legislation, regulations or school
21 district administrative reforms, which shall be submitted to the
22 school district superintendent, the secretary, the Executive
23 Director of the Pennsylvania Commission on Crime and
24 Delinquency, the chairperson of the Education Committee of the
25 Senate and the chairperson of the Education Committee of the
26 House of Representatives by August 15 of each year.

27 (9) To monitor infractions of the school district's code of
28 conduct to identify students whose conduct would constitute an
29 offense under 18 Pa.C.S. § 2701 (relating to simple assault).

30 (c) The safe schools advocate shall, on behalf of victims of
31 acts of violence on school property, victims of conduct that
32 would constitute an act of violence and victims of students who
33 have committed two or more infractions as set forth in
34 subsection (b) (9):

35 (1) provide assistance and advice, including information on
36 support services provided by victim assistance offices of the
37 appropriate district attorney and through local community-based
38 victim service agencies;

39 (2) provide information to the parent or guardian of the
40 student victim regarding the disciplinary process and any action
41 ultimately taken against the student accused of committing the
42 act of violence;

43 (3) in cases involving the possession or use of a weapon,
44 advise the parent or guardian of the victim whether the school
45 district properly exercised its duty under section 1317.2;

46 (4) in cases where the advocate has received a request by
47 the parent or guardian of the victim, to attend formal
48 disciplinary proceedings;

49 (5) with the consent of the parent or guardian of the
50 victim, present information in the disciplinary proceeding,
51 which may include oral or written presentations, including

1 testimony by the victim or the parent or guardian of the victim,
2 regarding the impact on the victim and the victim's family and
3 the appropriate disciplinary action and which may include direct
4 or cross-examination of witnesses;

5 (6) where the perpetrator of an act of violence is returning
6 to school after placement under a consent decree, adjudication
7 of delinquency or conviction of a criminal offense, assist the
8 parent or guardian of the victim in providing input to the
9 school district and the appropriate juvenile or criminal justice
10 authority to ensure the victim's safety on school property;

11 (7) in cases where the district has failed to report the act
12 of violence to the appropriate police department as required by
13 the memorandum of understanding, to report such act of violence
14 directly; and

15 (8) provide information and make recommendations to the
16 office of the district attorney regarding the impact of the act
17 of violence on the victim and the victim's family.

18 (d) Upon discovery of the commission of an act of violence
19 upon a student, the school district of the first class shall
20 immediately notify the victim's parent or guardian of the safe
21 schools advocate. The form of this notice shall be developed by
22 the advocate and provided to the school district. This form
23 shall include the address and telephone number of the advocate
24 and a brief description of the purposes and functions of the
25 safe schools advocate. The principal of each school within the
26 school district shall post a notice not less than 8 1/2 by 11
27 inches entitled "Safe Schools Advocate" at a prominent location
28 within each school building, where such notices are usually
29 posted. The form of this notice shall also be developed by the
30 advocate and provided to the school district.

31 (e) It shall be the duty of each school administrator in a
32 school district of the first class to cooperate with the safe
33 schools advocate to implement this section and to provide the
34 advocate, upon request, with all available information
35 authorized by State law. In regard to individual cases of acts
36 of violence, only information permitted to be shared under
37 subsection (f) shall be disclosed.

38 (f) The advocate and all employees and agents of the safe
39 schools advocate shall be subject to and bound by section 444 of
40 the General Education Provisions Act (Public Law 90-247, 20
41 U.S.C. § 1232g) and 34 CFR Pt. 99 (relating to family
42 educational rights and privacy).

43 (g) This section shall not apply to the extent that it would
44 conflict with the requirements of the Individuals with
45 Disabilities Education Act (Public Law 91-230, 20 U.S.C. § 1400
46 et seq.) or other applicable Federal statute or regulation.

47 (h) As used in this section:

48 "Act of violence" shall mean the possession of a weapon on
49 school property or an offense, including the attempt,
50 solicitation or conspiracy to commit the offense, under any of
51 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

31 consent decree that is related to discipline in the district if,

32 in consultation with the advocate, the Office of General Counsel

33 believes that the action is in the best interests of the

34 students of the school district.

35 (c) (1) The Executive Director of the Pennsylvania

36 Commission on Crime and Delinquency in consultation with the

37 General Counsel may designate a portion of the funds provided

38 for the safe schools advocate:

39 (i) For contracts for legal services to assist low-income

40 parents or guardians of victims to obtain legal services for

41 proceedings under subsection (a).

42 (ii) To challenge a consent decree under subsection (b) or

43 to bring an action under sections 1310-A(c)(5) and 1312-A(a).

44 (2) The designation of attorneys to receive funds under this

45 subsection shall be within the discretion of the Office of

46 General Counsel after consultation with the safe schools

47 advocate.

48 (3) Designated funds which are not expended under this

49 subsection shall lapse to the General Fund.

50 (d) Legal proceedings under this section shall be conducted

51 by an attorney designated by the Office of General Counsel in

1 consultation with the safe schools advocate. The attorney must
2 be a member of the bar in good standing.

3 (f) As used in this section, "low-income parent or guardian"
4 shall mean a parent whose family income is no greater than two
5 hundred fifty per centum (250%) of the Federal poverty level.

6 Section 1312-A. Enforcement.--(a) (1) If the school
7 district of the first class fails to comply with requirements to
8 provide information to the safe schools advocate under section
9 1310-A, the advocate shall provide documentation of the failure
10 to the Secretary of Education and the Pennsylvania Commission on
11 Crime and Delinquency.

12 (2) If the secretary determines that there is
13 noncompliance, the secretary shall notify the advocate and the
14 Office of General Counsel. The Office of General Counsel, in
15 consultation with the safe schools advocate, shall designate an
16 attorney to bring an action in a court of competent jurisdiction
17 to enforce section 1310-A.

18 (3) If the secretary determines that the school district of
19 the first class has complied with the requirements to provide
20 information to the safe schools advocate under section 1310-A,
21 the secretary shall convene a public hearing at which the safe
22 schools advocate shall be permitted to testify regarding the
23 alleged noncompliance.

24 (b) Legal proceedings under subsection (a) 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 Section 1313-A. Construction of Article and Other Laws.--
29 Nothing in this article or any other provision of law shall be
30 construed as granting a right of status for or participation by
31 the safe schools advocate in a grievance or arbitration
32 proceeding arising out of a collective bargaining agreement.]

33 Section 12. Section 1301-B of the act is amended by adding
34 definitions to read:

35 Section 1301-B. Definitions.

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

39 "Chief school administrator." The superintendent of a public
40 school district, superintendent of an area career and technical
41 school, executive director of an intermediate unit or chief
42 executive officer of a charter school.

43 * * *

44 "Department." The Department of Education of the
45 Commonwealth.

46 * * *

47 "School property." As defined in section 1301-A.

48 * * *

49 "Student with a disability." A student who meets the
50 definition of "child with a disability" under 20 U.S.C. Ch. 33
51 (relating to education of individuals with disabilities) or who

1 meets the definition of a "handicapped person" under 29 U.S.C. §
2 794 (relating to nondiscrimination under Federal grants and
3 programs) and its implementing regulations (34 CFR 104.3(j)).
4 The term includes a student for whom an evaluation is pending
5 under either 20 U.S.C. Ch. 33 or 29 U.S.C. Ch. 16 (relating to
6 vocational rehabilitation and other rehabilitative services).

7 "Weapon." The term shall include, but not be limited to, a
8 knife, cutting instrument, cutting tool, nunchaku, firearm,
9 shotgun, rifle and other tool, instrument or implement capable
10 of inflicting serious bodily injury.

11 Section 13. Section 1302-B(e) of the act, amended July 8,
12 2022 (P.L.620, No.55), is amended, subsection (b)(12) is amended
13 by adding a subparagraph and the section is amended by adding a
14 subsection to read:

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

16 * * *

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

19 * * *

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

21 * * *

22 (xi) The Homeland Security Director of the Office of
23 Homeland Security under 4 Pa. Code Ch. 6 Subch. LL
24 (relating to Office of Homeland Security), who shall be a
25 nonvoting member.

26 * * *

27 (e) Term.--Members appointed under subsection (b)(5), (6),
28 (7), (8), (11) and (12) shall serve for a four-year term and may
29 be appointed for no more than one additional consecutive term.
30 The terms of those members who serve by virtue of the public
31 office they hold shall be concurrent with their service in the
32 office from which they derive their membership.

33 * * *

34 (j) Executive committee.--

35 (1) The committee shall establish an executive committee
36 which shall meet, at a minimum, every two months to identify
37 and review current and emerging school safety issues,
38 including, but not limited to:

39 (i) data on issues and incidents reported through
40 the Safe2Say Program;

41 (ii) information arising from county safe schools'
42 collaboratives under section 1310.1-B;

43 (iii) identification, prevention and mitigation of
44 potential threats of targeted violence in educational
45 settings;

46 (iv) utilization of best practices among school
47 entities related to threat assessment, bystander
48 intervention and reporting, crisis intervention and
49 emergency preparedness and response; and

50 (v) other incidents and issues impacting school
51 safety in this Commonwealth.

1 (2) The executive committee shall provide guidance and
2 recommendations for consideration by the committee. Any
3 action relating to guidance or recommendations provided by
4 the executive committee to the committee shall require a vote
5 of a majority of the members of the committee. Any decisions
6 relating to awarding of grants under this article shall be
7 the sole and exclusive responsibility of the committee.

8 (3) The executive committee shall include, at a minimum,
9 the chair of the committee and the members appointed under
10 subsection (b)(1), (2), (3), (4), (5), (6), (7) and (8).

11 (4) (i) Except as provided under subparagraph (ii),
12 meetings of the executive committee shall not be subject
13 to the requirements of 65 Pa.C.S. Ch. 7 (relating to open
14 meetings).

15 (ii) Public notice of a meeting of the executive
16 committee shall be provided as required under 65 Pa.C.S.
17 § 709(a) (relating to public notice). The public notice
18 under this subparagraph shall include the agenda of the
19 topics the executive committee will discuss.

20 (iii) At the next scheduled meeting of the
21 committee, the chair of the executive committee shall
22 provide a summary of any meetings of the executive
23 committee that occurred since the last meeting of the
24 committee.

25 (5) The member appointed under subsection (b)(2) shall
26 serve as chair of the executive committee.

27 (6) The executive committee may add other members of the
28 committee as necessary.

29 Section 14. The act is amended by adding a section to read:
30 Section 1302.1-B. Duties of committee.

31 The committee shall advance practices to improve the safety
32 and security of school entities within this Commonwealth,
33 including developing policies and providing resources, training,
34 guidance and assistance to schools and their partners. In
35 addition to other duties given to the committee under this
36 article, the committee shall have the following powers and
37 duties:

38 (1) To establish, periodically review and, if necessary,
39 update baseline criteria for physical security and behavioral
40 health in coordination with the department for school
41 entities in this Commonwealth.

42 (2) To coordinate antiviolence and school safety efforts
43 between school, professional, parental, governmental, law
44 enforcement and community organizations and associations.

45 (3) To collect, develop and disseminate information,
46 policies, strategies and other information to assist in the
47 development of programs to impact school and community
48 violence and other school-safety-related issues.

49 (4) To provide training to school employees, school
50 safety and security coordinators and communities on effective
51 measures to prevent and combat school and community violence

1 as well as school safety and security training under section
2 1310-B and coordinator training under section 1316-B.

3 (5) In collaboration and coordination with the
4 department, to assist school entities and nonpublic schools
5 on the development of policies to enhance safety and
6 security, including policies addressing possession of
7 weapons, acts of violence, protocols for coordination with
8 law enforcement officials and reporting under section 1319-B.

9 (6) In collaboration and coordination with the
10 department, to verify that each school entity has complied
11 with reporting and memorandum of understanding requirements
12 under section 1319-B.

13 (7) In collaboration and coordination with the
14 department, to publish and post on the commission's publicly
15 accessible Internet website a school safety annual report no
16 later than November 1 of each calendar year outlining all
17 incidents required to be reported under section 1319-B and
18 school entities that failed to submit a report under section
19 1319-B.

20 (8) In collaboration and consultation with the
21 Pennsylvania State Police, to establish criteria for
22 certifying approved vendors to provide school police officers
23 to nonpublic schools for the purpose of awarding grants under
24 section 1306.1-B(k).

25 (9) To publish and post on the commission's publicly
26 accessible Internet website a listing of approved vendors
27 under paragraph (8).

28 (10) In consultation with the department, to develop,
29 review and promulgate regulations under section 1306.2-B(b).

30 (11) To request data related to school safety and
31 security collected by the department to fulfill the duties of
32 the committee. The department shall provide requested data no
33 later than 10 days after the request is made.

34 Section 15. Section 1306-B(i)(1), (j)(4) and (12), (k) and
35 (l) of the act, amended July 8, 2022 (P.L.620, No.55), are
36 amended, subsection (h) is amended by adding paragraphs and the
37 section is amended by adding a subsection to read:

38 Section 1306-B. School Safety and Security Grant Program.

39 * * *

40 (h) School Safety and Security Fund.--

41 * * *

42 (10) For fiscal year 2023-2024, the committee shall
43 commit funds relating to school safety and security and
44 school mental health to school entities that receive a grant
45 award under this section no later than March 31, 2024.

46 (11) For fiscal year 2024-2025 and each fiscal year
47 thereafter, the committee shall commit funds relating to
48 school safety and security and school mental health to school
49 entities that receive a grant award under this section no
50 later than December 31 of each calendar year in which funds
51 are available.

1 (12) Notwithstanding any other provision of law, during
2 the 2023-2024 fiscal year, money appropriated for COVID
3 Relief - ARPA - School Mental Health Grants shall be
4 transferred to the fund and shall be used as follows:

5 (i) Ninety percent shall be used for grants under
6 section 1315.1-B.

7 (ii) Five percent shall be transferred to the
8 department for training of school based mental health
9 professionals and to establish pathways to certification
10 for school based mental health professionals.

11 (iii) Five percent shall be transferred to the
12 Pennsylvania Higher Education Assistance Agency for the
13 program under section 1318-B.

14 (i) Community violence prevention programs.--

15 (1) [Municipalities] Notwithstanding subsection (h) (7),
16 the committee shall use money appropriated to the commission
17 for violence intervention and prevention for grants and
18 technical assistance to municipalities, district attorneys,
19 institutions of higher education, community-based
20 organizations and other entities approved by the committee
21 [are the only eligible applicants] for programs under
22 subsection (j) (22).

23 * * *

24 (j) Specific purposes.--The committee shall provide grants
25 to school entities for programs that address school mental
26 health and safety and security, including:

27 * * *

28 (4) School-based diversion programs[.] as defined in
29 section 1301-A, including costs associated with the hiring of
30 qualified professional staff members to provide assistance
31 and services related to the programs.

32 * * *

33 (12) Security planning and purchase of security-related
34 technology, which may include metal detectors, protective
35 lighting, specialty trained canines, surveillance equipment,
36 special emergency communications equipment, automated
37 external defibrillators, electronic locksets, deadbolts,
38 trauma kits and theft control devices and training in the use
39 of security-related technology. [Security planning and
40 purchase of security-related technology shall be based on
41 safety needs identified by the school entity's board of
42 school directors.]

43 * * *

44 (k) Coordination of grant distribution.--The [department]
45 committee shall coordinate the distribution of grants under
46 [Article XIII-A with the committee] section 1306.1-B to ensure
47 the most effective use of resources.

48 (l) Audits.--

49 (1) The commission may randomly audit and monitor grant
50 recipients to ensure the appropriate use of grant funds and
51 compliance with [the provisions of] subsection (d).

1 (2) The Auditor General [shall] may not perform audits
2 related to school safety and security assessments, survey
3 instruments and grant applications.

4 (m) Procurement procedures.--An applicant shall be required
5 to comply with all applicable State and local procurement
6 requirements, policies and procedures when expending grant
7 funds.

8 Section 16. The act is amended by adding sections to read:
9 Section 1306.1-B. Targeted School Safety Grants for Nonpublic
10 Schools and School Entities Program.

11 (a) Reestablishment.--The Targeted School Safety Grants for
12 Nonpublic Schools and School Entities Program is reestablished
13 in the committee to make nonpublic schools and school entities
14 within this Commonwealth safer places.

15 (b) Continuation.--The targeted grants issued in fiscal year
16 2022-2023 and in any previous fiscal year to school entities and
17 to intermediate units on behalf of nonpublic schools through the
18 department under Article XIII-A shall continue to be
19 administered by the department. Targeted grants for fiscal year
20 2023-2024 and each year thereafter shall be awarded and
21 administered by the committee.

22 (c) Functions generally.--The committee shall perform all
23 functions related to the direct approval, disbursement and
24 administration of grants under the program.

25 (d) Diversity.--The committee shall ensure that grant
26 funding under the program is geographically dispersed throughout
27 this Commonwealth.

28 (e) Supplement and not supplant.--

29 (1) Grant money allocated through the program shall be
30 used to supplement and not supplant existing nonpublic school
31 entity spending on school safety and security.

32 (2) Nothing in this section shall be construed to
33 preclude a nonpublic school entity from making an application
34 in a subsequent year for the same purpose and amount awarded
35 in a prior year.

36 (f) Whole or partial awards.--The committee, in its
37 discretion, may award, in whole or in part, a request made by a
38 nonpublic school entity in its grant application based upon the
39 merit of a specific item requested.

40 (g) Sustainability planning.--Sustainability planning is not
41 a necessary component of an application under this section.

42 (h) Confidentiality.--Information submitted by a nonpublic
43 school entity as part of the grant application, the disclosure
44 of which would be reasonably likely to result in a substantial
45 and demonstrable risk of physical harm or the personal security
46 of students or staff, shall remain confidential and shall not be
47 accessible for inspection and duplication under the act of
48 February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law.
49 The committee may release aggregate data at its discretion.

50 (i) (Reserved).

51 (j) Uses.--Targeted grants to school entities and to

1 intermediate units on behalf of nonpublic schools shall be used
2 to fund programs that address school violence and school mental
3 health. Eligible uses of the funds shall include any use under
4 section 1306-B(j) and to fund programs that address school
5 violence by establishing or enhancing school security, including
6 costs associated with the training and compensation of school
7 security personnel.

8 (k) Other grant recipients.--

9 (1) The committee may award targeted grants to
10 municipalities, law enforcement agencies and approved vendors
11 to fund programs that address school violence by establishing
12 or enhancing school security, including costs associated with
13 the training and compensation of school security personnel.

14 (2) A municipality or law enforcement agency that
15 receives grants under this subsection shall, with the prior
16 consent of the governing board of the school entity or
17 nonpublic school, assign school resource officers to carry
18 out their official duties on the premises of the school
19 entity or nonpublic school. A municipality or law enforcement
20 agency may not receive grant money under this subsection for
21 any purpose other than for costs associated with school
22 resource officers and are not eligible for other grants
23 provided to school entities under this section. In assigning
24 school resource officers under this subsection, a
25 municipality shall take into consideration the proportion of
26 students enrolled in each school entity or nonpublic school.

27 (3) A nonpublic school may apply to the committee for
28 grant funding under paragraph (1) to be used for the costs
29 associated with obtaining the services of school security
30 personnel from a list of approved vendors certified by the
31 committee. A grant award for this purpose shall be awarded
32 and paid directly to the approved vendor with which the
33 nonpublic school contracts for services. A nonpublic school
34 may not apply for grant funding under this subsection for any
35 purpose other than obtaining the services of school security
36 personnel under this paragraph.

37 (k.1) Administrative fee.--An intermediate unit may take a
38 reasonable administrative fee for direct costs associated with
39 the administration of a grant award on behalf of a nonpublic
40 school. The fee shall be taken from the money received under
41 subsection (j) and may not exceed 6%.

42 (l) Other duties.--The committee shall have the following
43 duties as to targeted grants:

44 (1) Targeted grants shall be allocated through a
45 competitive grant review process established by the
46 committee. A school entity must satisfy the requirements of
47 this section. The application for a targeted grant shall
48 include:

49 (i) the purpose for which the targeted grant will be
50 utilized;

51 (ii) information indicating the need for the

1 targeted grant, including, but not limited to, school
2 violence statistics;

3 (iii) an estimated budget;

4 (iv) methods for measuring outcomes; and

5 (v) other criteria as the committee may require.

6 (2) The committee shall:

7 (i) Give priority in grant funding under subsection
8 (c) to a school entity designated as a persistently
9 dangerous school as defined in 22 Pa. Code § 403.2
10 (relating to definitions).

11 (ii) Give priority in grant funding under subsection
12 (j) to school entities with the greatest need related to
13 safety and order.

14 (iii) For municipalities, local law enforcement
15 agencies and nonpublic schools that apply for funding for
16 the training and compensation of school security
17 personnel under subsection (j) or (k), give priority to
18 municipalities, local law enforcement agencies and
19 nonpublic schools that utilize school security personnel
20 who have completed the training and qualifications
21 required under Article XIII-C.

22 (iv) For school entities or nonpublic schools that
23 apply for funding for school police officers under
24 subsection (j) or (k), give priority to school entities
25 and nonpublic schools that utilize school police officers
26 who satisfy all of the following:

27 (A) Are retired Federal agents or retired State,
28 municipal or military police officers.

29 (B) Are independent contractors of the school
30 entity or nonpublic school.

31 (C) Are compensated on an hourly basis and
32 receive no other compensation or fringe benefits from
33 the school entity or nonpublic school.

34 (D) Have completed annual training as required
35 by the Municipal Police Officers' Education and
36 Training Commission under 53 Pa.C.S. Ch. 21 Subch. D
37 (relating to municipal police education and
38 training).

39 (E) The requirements of section 111.

40 (F) In the case of a school entity, have been
41 indemnified by the school entity under 42 Pa.C.S. §
42 8548 (relating to indemnity).

43 (G) Are utilized by a school entity or nonpublic
44 school that has not employed a school police officer
45 within the three years immediately preceding the
46 effective date of this section. Nothing in this
47 section shall be construed to impact grant decisions
48 for school entities, municipalities or law
49 enforcement agencies that apply for funding for
50 hiring of school resource officers under subsection
51 (j) or (k).

1 (3) For fiscal year 2023-2024 and each fiscal year
2 thereafter, the combined amount of grants awarded to
3 intermediate units on behalf of nonpublic schools under
4 subsection (j) and grants awarded for costs associated with a
5 nonpublic school obtaining the services of school security
6 personnel under subsection (k) shall be no less than
7 \$14,551,000.

8 (m) Audits.--

9 (1) The commission may randomly audit and monitor grant
10 recipients to ensure the appropriate use of grant funds and
11 compliance with the provisions of subsection (d).

12 (2) The Auditor General may not perform audits related
13 to school safety and security assessments, survey instruments
14 and grant applications.

15 (n) Procurement procedures.--An applicant shall be required
16 to comply with all applicable State and local procurement
17 requirements, policies and procedures when expending grant
18 money.

19 (o) Transfer.--Within 90 days of the effective date of this
20 section, from the amount appropriated to the Department of
21 Education for the Safe Schools Initiative, the Department of
22 Education shall transfer the sum of \$20,700,000 to the
23 commission for distribution by the committee in accordance with
24 this section.

25 (p) Definitions.--As used in this section, the following
26 words and phrases shall have the meanings given to them in this
27 subsection unless the context clearly indicates otherwise:

28 "Program." The Targeted School Safety Grants for Nonpublic
29 Schools and School Entities Program reestablished in this
30 section.

31 Section 1306.2-B. Standardized protocols.

32 (a) Continuation of regulations.--A regulation adopted under
33 section 1302.1-A and in effect as of the effective date of this
34 section shall be enforced by the committee in collaboration and
35 coordination with the department and the State Board of
36 Education and shall continue to have the same force and effect
37 until modified or revised under this section.

38 (b) Regulations.--No later than three years after the
39 effective date of this section, the committee shall promulgate
40 final-omitted regulations under the act of June 25, 1982
41 (P.L.633, No.181), known as the Regulatory Review Act, in
42 consultation with the department, necessary to implement this
43 article. The regulations shall include the following:

44 (1) A model memorandum of understanding between school
45 entities and law enforcement. The model memorandum of
46 understanding shall be reviewed at least once every three
47 years and revised where necessary. The committee may revise
48 the model memorandum of understanding by transmitting a
49 notice to the Legislative Reference Bureau for publication in
50 the next available issue of the Pennsylvania Bulletin that
51 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
31 distribute, promote and develop best practices applicable to
32 emergency response involving school safety and security through
33 an emergency preparedness planning approach. The collaborative
34 shall provide assistance to school entities, law enforcement and
35 emergency responders and shall meet at least quarterly to
36 develop safe and secure schools. The collaborative shall
37 identify and promote strategies, practices that align with those
38 identified by the committee and programs that support safe
39 schools for all students and staff and recommend implementation
40 as part of a countywide or multicounty safe schools' plan.

41 (b) Technical assistance.--The Pennsylvania Emergency
42 Management Agency in collaboration with the Pennsylvania State
43 Police and the Office of Homeland Security shall provide
44 technical assistance to a county or several counties to
45 establish a safe schools' collaborative under subsection (a) to
46 provide school districts, emergency responders and all relevant
47 school safety partners with quality information, resources,
48 consultation and training services.

49 (c) Reports.--The Pennsylvania Emergency Management Agency
50 in collaboration with the Pennsylvania State Police and the
51 Office of Homeland Security shall report to the committee

1 annually beginning September 1, 2024, and September 1 of each
2 year thereafter, the number of counties that have requested
3 technical assistance under subsection (b).

4 (d) Confidentiality of reports.--Reports to the committee
5 under this section shall remain confidential and shall not be
6 subject to inspection and duplication under the act of February
7 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law.

8 (e) Confidentiality of meetings.--Meetings of a county safe
9 schools' collaborative are not subject to the requirements of 65
10 Pa.C.S. Ch. 7 (relating to open meetings).

11 Section 1315.1-B. School mental health grants for 2023-2024
12 school year.

13 (a) Funding.--For the 2023-2024 school year, the amount of
14 money allocated under section 1306-B(h)(12)(i) shall be used by
15 the committee to award school mental health grants to school
16 entities in accordance with this section.

17 (b) Purpose of grants.--

18 (1) A school entity shall be eligible for school mental
19 health grants to meet the level 1 baseline criteria for
20 behavioral health and school climate criteria established by
21 the committee.

22 (2) A school entity that has met the level 1 baseline
23 criteria shall be eligible for school mental health grants
24 for the purposes outlined in section 1306-B(j)(6), (10),
25 (15), (17), (19), (20), (21), (23), (24), (25), (26), (27),
26 (28), (29) and (30).

27 (c) Amount of grants.--The committee shall award school
28 mental health grants in the following amounts to any school
29 entity that submits an application:

30 (1) A school district shall receive \$100,000 plus an
31 amount determined in paragraph (3).

32 (2) An intermediate unit, area career and technical
33 school, charter school, regional charter school, cyber
34 charter school, approved private school or chartered school
35 for the education of the deaf or the blind shall receive
36 \$70,000.

37 (3) An amount determined as follows:

38 (i) Multiply the 2021-2022 adjusted average daily
39 membership for each school district by the difference
40 between the amount allocated in subsection (a) and the
41 sum of the amounts distributed under paragraphs (1) and
42 (2).

43 (ii) Divide the product from subparagraph (i) by the
44 2021-2022 adjusted average daily membership for all
45 school districts.

46 (d) Availability of applications.--The committee shall make
47 an application for grants under this section available to school
48 entities no later than 45 days after the effective date of this
49 section. The application requirements shall be limited to the
50 school entity's contact information, the specific purpose of the
51 grant based upon the categories specified in subsection (b) with

1 boxes on the application for the applicant to indicate the
2 school entity's anticipated use and certification by the
3 applicant that the funds will be used for the stated purpose.

4 (e) Effect of revenue received.--Grant money received under
5 this section may not be included when calculating the amount to
6 be paid under section 1725-A.

7 (f) Audit and monitoring.--The committee shall randomly
8 audit and monitor grant recipients to ensure the appropriate use
9 of grant funds and compliance with provisions of the grant
10 program.

11 (g) Definitions.--As used in this section, the following
12 words and phrases shall have the meanings given to them in this
13 subsection unless the context clearly indicates otherwise:

14 "School entity." A school district, area career and
15 technical school, intermediate unit, charter school, regional
16 charter school and cyber charter school.

17 Section 17. Section 1316-B(b) of the act, added July 8, 2022
18 (P.L.620, No.55), is amended to read:

19 Section 1316-B. School safety and security coordinator
20 training.

21 * * *

22 (b) Required training.--

23 (1) The committee shall adopt the required training
24 hours for the training developed under subsection (a). The
25 committee may not require more than seven hours of training
26 for the school safety and security coordinator annually. The
27 training shall be in addition to other training requirements
28 for school administrators.

29 (2) Employees required to undergo continuing
30 professional education under section 1205.2 and 1205.5 shall
31 receive credit toward their continuing professional education
32 requirements.

33 * * *

34 Section 18. The act is amended by adding sections to read:
35 Section 1319-B. Reporting and memorandum of understanding.

36 (a) Data reporting and access.--In collaboration and
37 coordination with the committee, the department shall collect
38 information as required by this section. The committee may
39 request information collected by the department under this
40 section. The department shall provide the information requested
41 no later than 10 days after the request date to the extent
42 permitted by law.

43 (b) Reporting by chief school administrator.--A chief school
44 administrator shall report to the department by July 31 of each
45 year all new incidents involving acts of violence, possession of
46 a weapon or possession, use or sale of controlled substances as
47 defined in the act of April 14, 1972 (P.L.233, No.64), known as
48 The Controlled Substance, Drug, Device and Cosmetic Act, or
49 possession, use or sale of alcohol or tobacco by any person on
50 school property. The report shall include all incidents
51 involving conduct that constitutes a criminal offense listed

1 under subsection (b) (7) and (8). Reports, on a form to be
2 developed and provided by the department, in collaboration and
3 coordination with the committee, shall include:

4 (1) The age or grade of the students involved.

5 (2) The name and address of school.

6 (3) The circumstances surrounding the incident,
7 including, but not limited to, the type of weapon, controlled
8 substance, alcohol or tobacco, the date, time and location of
9 the incident, if a person other than a student is involved in
10 the incident and any relationship of the person to the school
11 entity.

12 (4) The race of the students involved.

13 (5) Whether the students have an Individualized
14 Education Plan under 20 U.S.C. Ch.33 (relating to education
15 for individuals with disabilities) and, if so, the type of
16 disability.

17 (6) Any sanction imposed by the school.

18 (7) A list of criminal offenses which may, at a minimum,
19 include:

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

22 Section 908 (relating to prohibited offensive
23 weapons).

24 Section 912 (relating to possession of weapon on
25 school property).

26 Chapter 25 (relating to criminal homicide).

27 Section 2702 (relating to aggravated assault).

28 Section 2709.1 (relating to stalking).

29 Section 2901 (relating to kidnapping).

30 Section 2902 (relating to unlawful restraint).

31 Section 3121 (relating to rape).

32 Section 3122.1 (relating to statutory sexual
33 assault).

34 Section 3123 (relating to involuntary deviate sexual
35 intercourse).

36 Section 3124.1 (relating to sexual assault).

37 Section 3124.2 (relating to institutional sexual
38 assault).

39 Section 3125 (relating to aggravated indecent
40 assault).

41 Section 3126 (relating to indecent assault).

42 Section 3301 (relating to arson and related
43 offenses).

44 Section 3307 (relating to institutional vandalism)
45 when the offense is a felony of the third degree.

46 Section 3502 (relating to burglary).

47 Section 3503(a) and (b) (1) (v) (relating to criminal
48 trespass).

49 Section 5501 (relating to riot).

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

1 (ii) The possession, use or sale of a controlled
2 substance or drug paraphernalia as defined in The
3 Controlled Substance, Drug, Device and Cosmetic Act.

4 (iii) An attempt, solicitation or conspiracy to
5 commit an offense listed in subclauses (i) and (ii).

6 (iv) An offense for which registration is required
7 under 42 Pa.C.S. § 9799.55 (relating to registration).

8 (8) The following offenses under 18 Pa.C.S. and any
9 attempt, solicitation or conspiracy to commit any of these
10 offenses:

11 Section 2701 (relating to simple assault).

12 Section 2705 (relating to recklessly endangering another
13 person).

14 Section 2706 (relating to terroristic threats).

15 Section 2709 (relating to harassment).

16 Section 3127 (relating to indecent exposure).

17 Section 3307 when the offense is a misdemeanor of the
18 second degree.

19 Section 3503(b)(1)(i), (ii), (iii) and (iv), (b.1) and
20 (b.2).

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

22 Section 5502 (relating to failure of disorderly persons
23 to disperse upon official order).

24 Section 5503 (relating to disorderly conduct).

25 Section 6305 (relating to sale of tobacco products).

26 Section 6306.1 (relating to use of tobacco products in
27 schools prohibited).

28 Section 6308 (relating to purchase, consumption,
29 possession or transportation of liquor or malt or brewed
30 beverages).

31 (9) Notification of law enforcement.

32 (10) Remedial programs involved.

33 (11) Parental involvement required.

34 (12) Arrests, convictions and adjudications, if known.

35 (c) Duties.--Prior to submitting the report required under
36 subsection (b), each chief school administrator and each law
37 enforcement agency having jurisdiction over school property of
38 the school entity shall comply with the following:

39 (1) No later than 30 days prior to the deadline for
40 submitting the report to the department required under
41 subsection (b), the chief school administrator shall submit
42 the report to the law enforcement agency with jurisdiction
43 over the relevant school property. The law enforcement agency
44 shall review the report and compare the data regarding
45 criminal offenses and notification of law enforcement to
46 determine whether the report accurately reflects law
47 enforcement incident data.

48 (2) No later than 15 days prior to the deadline for the
49 chief school administrator to submit the report required
50 under subsection (b), the law enforcement agency shall notify
51 the chief school administrator, in writing, whether the

1 report accurately reflects law enforcement incident data.
2 Where the law enforcement agency determines that the report
3 accurately reflects law enforcement incident data, the chief
4 of police shall sign the report. If the law enforcement
5 agency determines that the report does not accurately reflect
6 law enforcement incident data, the law enforcement agency
7 shall indicate any discrepancy between the report and law
8 enforcement incident data.

9 (3) Prior to submitting the report required under
10 subsection (b), the chief school administrator and the law
11 enforcement agency shall attempt to resolve any discrepancy
12 between the report and law enforcement incident data. If a
13 discrepancy remains unresolved, the law enforcement agency
14 shall notify the chief school administrator and the
15 department in writing.

16 (4) If a law enforcement agency fails to take action as
17 required under paragraph (2) or (3), the chief school
18 administrator shall submit the report required under
19 subsection (b) and indicate that the law enforcement agency
20 failed to take action as required under paragraph (2) or (3),
21 as applicable.

22 (d) Advisory committee.--A chief school administrator shall
23 form an advisory committee composed of relevant school staff,
24 including, but not limited to, principals, security personnel,
25 school safety and security coordinator, emergency services
26 personnel, school security personnel, guidance counselors and
27 special education administrators to assist in the development of
28 a memorandum of understanding under this section. In
29 consultation with the advisory committee, the chief school
30 administrator shall enter into a memorandum of understanding
31 with law enforcement agencies having jurisdiction over school
32 property of the school entity. The chief school administrator
33 shall submit a copy of the memorandum of understanding to the
34 department by June 30, 2024, and biennially update and re-
35 execute a memorandum of understanding with law enforcement and
36 file the memorandum with the department on a biennial basis. The
37 memorandum of understanding shall be signed by the chief school
38 administrator, the chief of police of the law enforcement agency
39 with jurisdiction over the relevant school property and
40 principals of each school building of the school entity. The
41 memorandum of understanding shall comply with the regulations
42 promulgated under section 1306.2-B and shall also include:

43 (1) A procedure for law enforcement agency review of the
44 annual report required under subsection (b) prior to the
45 chief school administrator filing the report with the
46 department.

47 (2) A procedure for the resolution of a school violence
48 data discrepancy in the report prior to filing the report
49 required with the department.

50 (3) Additional matters pertaining to crime prevention
51 agreed to between the chief school administrator and the law

1 enforcement agency.

2 (e) Construction.--Pursuant to 20 U.S.C. § 1415(k)(6)
3 (relating to procedural safeguards), nothing in section 1302.1-A
4 or this section shall be construed to prohibit a school entity
5 from reporting a crime committed by a child with a disability to
6 appropriate authorities or to prevent State law enforcement and
7 judicial authorities from exercising their responsibilities with
8 regard to the application of Federal and State law to crimes
9 committed by a child with a disability.

10 (f) Noncompliance.--If a school entity or law enforcement
11 agency fails to comply with the provisions of this section, the
12 school entity or law enforcement agency may not be awarded any
13 grant administered by the committee until such time as the
14 school entity or law enforcement agency has complied with this
15 section.

16 (g) Report to the General Assembly.--

17 (1) The committee shall review and make recommendations
18 in a report to the General Assembly relating to the
19 following:

20 (i) All required reporting under this section,
21 including consideration of the criminal offenses under
22 subsection (b)(7) and (8).

23 (ii) All required reporting under this article and
24 Article XIII-C.

25 (2) The recommendations shall, at a minimum, include
26 whether the appropriate amount of data is being collected
27 and, if applicable, proposed elimination of any duplicative
28 reporting requirements.

29 (3) The committee shall transmit notice of the reports
30 under subparagraphs (1) and (2) to the department and the
31 General Assembly. The committee shall transmit notice of the
32 reports to the Legislative Reference Bureau for publication
33 in the next available issue of the Pennsylvania Bulletin.
34 Section 1320-B. Safe schools advocate in school districts of
35 the first class.

36 (a) Establishment.--The Executive Director of the commission
37 shall establish, within the commission, a safe schools advocate
38 for each school district. The safe schools advocate shall not be
39 subject to 71 Pa.C.S. Pt. III (relating to civil service
40 reform). The advocate shall establish and maintain an office
41 within the school district.

42 (b) Powers and duties.--The safe schools advocate shall have
43 the power and its duties shall be:

44 (1) To monitor on an annual basis, the school district's
45 compliance with this section and the memorandum of
46 understanding with the appropriate local law enforcement
47 agency by selecting, reviewing and analyzing a sample of the
48 school district's reporting under section 1319-B.

49 (2) For the purposes of victim advocacy and to assist in
50 the annual monitoring process under paragraph (1), to have
51 direct access to the school district's internal document

1 supporting the information required to be reported under
2 section 1319-B.

3 (3) To monitor the school district's compliance with the
4 mandatory expulsion requirements of sections 1317.2 and
5 1318.1.

6 (4) To receive inquiries from school staff and parents
7 or guardians of students who are victims of conduct that
8 constitutes a criminal offense on school property or to or
9 from school.

10 (5) To establish a protocol, in consultation with the
11 Juvenile Court Judges' Commission, to assure timely receipt
12 by the school district of information regarding students who
13 have been adjudicated delinquent under 42 Pa.C.S. § 6341(b.1)
14 (relating to adjudication) and to monitor the school
15 district's use of that information to ensure that victims are
16 protected.

17 (6) To establish a program to assure extensive and
18 continuing public awareness of information regarding the role
19 of the advocate on behalf of victims of conduct that
20 constitutes a criminal offense on school property or to or
21 from school, which may include the mailing of information to
22 the parents or guardians of students in the school district
23 or other forms of communication.

24 (7) To prepare an annual report regarding the activities
25 of the advocate during the prior fiscal year and any
26 recommendation for remedial legislation, regulation or school
27 district administrative reform, which shall be submitted to
28 the school district superintendent, the secretary, the
29 Executive Director of the commission, the chairperson of the
30 Education Committee of the Senate and the chairperson of the
31 Education Committee of the House of Representatives by August
32 15 of each year.

33 (c) Additional duties.--A safe schools advocate shall, on
34 behalf of victims of conduct that constitutes a criminal offense
35 on school property or victims of at least two infractions of the
36 school district's code of conduct:

37 (1) Provide assistance and advice, including information
38 on support services provided by victim assistance offices of
39 the appropriate district attorney and through local
40 community-based victim service agencies.

41 (2) Provide information to the parent or guardian of a
42 student victim regarding the disciplinary process and any
43 action ultimately taken against the student accused of
44 committing the conduct that constitutes a criminal offense.

45 (3) If the possession or use of a weapon is involved,
46 advise the parent or guardian of the victim whether the
47 school district properly exercised its duty under section
48 1317.2.

49 (4) If the advocate has received a request by the parent
50 or guardian of the victim, attend formal disciplinary
51 proceedings.

1 (5) With the consent of the parent or guardian of the
2 victim, participate and present information in the
3 disciplinary proceeding, which may include:

4 (i) making oral or written presentations, including
5 testimony by the victim or the parent or guardian of the
6 victim, regarding the impact on the victim and the
7 victim's family and the appropriate disciplinary action;
8 and

9 (ii) conducting direct or cross-examination of
10 witnesses.

11 (6) If the perpetrator of conduct that constitutes a
12 criminal offense returns to school after placement under a
13 consent decree, adjudication of delinquency or conviction of
14 a criminal offense, assist the parent or guardian of the
15 victim in providing input to the school district and the
16 appropriate juvenile or criminal justice authority to ensure
17 the victim's safety on school property.

18 (7) If a school district has failed to report to the
19 appropriate law enforcement agency as required by the
20 memorandum of understanding, report the act directly.

21 (8) Provide information to the office of the district
22 attorney regarding the impact of the conduct that constitutes
23 a criminal offense on the victim and the victim's family.

24 (d) Notification.--

25 (1) Upon discovery of the commission of conduct that
26 constitutes a criminal offense upon a student, the school
27 district shall immediately notify the safe schools advocate
28 of the incident, including the details of the incident and
29 all of the individuals involved, and immediately notify the
30 victim, the victim's parent or legal guardian.

31 (2) The form of the notice to the victim or the victim's
32 parent or legal guardian shall be developed by the advocate
33 and provided to the school district and shall include the
34 address and telephone number of the advocate and a brief
35 description of the purposes and functions of the safe schools
36 advocate.

37 (3) The principal of each school within the school
38 district shall post a notice not less than 8 1/2" by 11"
39 entitled "Safe Schools Advocate" at a prominent location
40 within each school building, where notices are usually
41 posted.

42 (4) The form of the notice shall also be developed by
43 the safe schools advocate and provided to the school
44 district.

45 (e) Cooperation.--School administrators in a school district
46 shall cooperate with the safe schools advocate to implement this
47 section and provide the advocate, upon request, with all
48 available information authorized by State law.

49 (f) Applicable provisions.--The advocate and all employees
50 and agents of the safe schools advocate shall be subject to and
51 20 U.S.C. § 1232g (relating to family educational and privacy

1 rights) and 34 CFR Pt. 99 (relating to family educational rights
2 and privacy).

3 (g) Limitation.--This section shall not apply to the extent
4 that it would conflict with the requirements of 20 U.S.C. Ch. 33
5 (relating to education of individuals with disabilities) or
6 other applicable Federal statute or regulation.

7 (h) Standing.--

8 (1) If a student in a school district is a victim of an
9 act of violence involving a weapon on school district
10 property and the student who possessed the weapon was not
11 expelled under section 1317.2, the parent or guardian of the
12 victim shall have standing to institute a legal proceeding to
13 obtain expulsion of the student.

14 (2) The Office of General Counsel shall have standing to
15 bring an action on behalf of a victim or the parent or
16 guardian of a victim of an act of violence in a school in a
17 school district to modify, clarify or eliminate a consent
18 decree that is related to discipline in the school district
19 if, in consultation with the advocate, the Office of General
20 Counsel believes that the action is in the best interests of
21 the students of the school district.

22 (3) The Executive Director of the commission, in
23 consultation with the General Counsel, may designate a
24 portion of the funds provided for the safe schools advocate:

25 (i) For contracts for legal services to assist low-
26 income parents or guardians of victims to obtain legal
27 services for proceedings under subsection (a).

28 (ii) To challenge a consent decree under subsection
29 (b) or to bring an action under this act.

30 (4) The designation of attorneys to receive funds under
31 this subsection shall be within the discretion of the Office
32 of General Counsel after consultation with the safe schools
33 advocate.

34 (5) Designated funds not expended under this subsection
35 shall lapse to the General Fund.

36 (6) Legal proceedings under this section shall be
37 conducted by an attorney designated by the Office of General
38 Counsel in consultation with the safe schools advocate. The
39 attorney must be a member of the bar in good standing.

40 (i) Definitions.--As used in this section, the following
41 words and phrases shall have the meanings given to them in this
42 subsection unless the context clearly indicates otherwise:

43 "Low-income parent or guardian." A parent whose family
44 income is no greater than 250% of the Federal poverty level.

45 "School district." A school district of the first class.

46 "Victim." An individual against whom a crime has been
47 committed or attempted and who, as a direct result of the
48 criminal act or attempt, suffers physical or mental injury,
49 death or the loss of earnings as those terms are defined under
50 section 103 of the act of November 24, 1998 (P.L.882, No.111),
51 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
31 schools advocate in a grievance or arbitration proceeding
32 arising out of a collective bargaining agreement.

33 Section 19. The definition of "third-party vendor" in
34 section 1301-C of the act is amended and the section is amended
35 by adding a definition to read:

36 Section 1301-C. Definitions.

37 The following words and phrases when used in this article
38 shall have the meanings given to them in this section unless the
39 context clearly indicates otherwise:

40 * * *

41 "Committee." The School Safety and Security Committee
42 established under section 1302-B.

43 * * *

44 "Third-party vendor." A company or entity approved by [the
45 Office for Safe Schools under section 1302-A(b)(8) or] the
46 commission under section 1315-C(2) that provides school security
47 services.

48 Section 20. Section 1302-C of the act is amended by adding a
49 subsection to read:

50 Section 1302-C. School police officers.

51 * * *

1 (c) Reporting.--

2 (1) A school entity or nonpublic school that has applied
3 to the court to appoint a person or persons to act as school
4 police officers under subsection (a) on or after the
5 effective date of this subsection shall, within 30 days of
6 approval of the appointment from the court, submit a copy of
7 the court's order to the committee.

8 (2) A school entity or nonpublic school that has
9 previously applied to the court to appoint a person or
10 persons to act as school police officers prior to the
11 effective date of this subsection shall, within 120 days of
12 the effective date of this paragraph, submit a copy of the
13 court's order relating to the appointment of each school
14 police officer to the committee.

15 (3) The provisions of section 1305-B(e) shall apply to
16 any data provided to the committee under this subsection.

17 Section 21. Sections 1303-C and 1314-C(b)(3)(i)(C) of the
18 act are amended to read:

19 Section 1303-C. Annual report.

20 A school entity or nonpublic school which employs or
21 contracts for a school police officer shall report annually to
22 the department, the committee and the commission the following
23 information regarding school police officers receiving training
24 as required under 53 Pa.C.S. Ch. 21 Subch. D (relating to
25 municipal police education and training):

26 (1) The identity of the school entity or nonpublic
27 school and the number of school police officers employed or
28 contracted by the school entity or nonpublic school.

29 (2) The municipalities comprising the school entity or
30 in which the nonpublic school is located.

31 (3) The date and type of training provided to each
32 school police officer.

33 Section 1314-C. School security guards.

34 * * *

35 (b) Training.--The following shall apply:

36 * * *

37 (3) An armed school security guard who is employed or
38 contracted by a school entity or nonpublic school before
39 September 2, 2019, shall have until February 28, 2020, to
40 complete the instruction under paragraph (1) unless an
41 extension is approved through the following process:

42 (i) The governing body of a school entity or
43 nonpublic school may approve an extension of the deadline
44 specified in this paragraph for armed school security
45 guards to complete the required instruction due to a
46 hardship in complying with the deadline. The deadline may
47 be extended to no later than the beginning of the 2020-
48 2021 school year. The following shall apply:

49 * * *

50 (C) The school entity or nonpublic school shall
51 submit the approved hardship extension to [the Office

1 of Safe Schools within] the department not later than
2 15 days from the date of approval. Any documentation
3 submitted under this clause may not be subject to
4 inspection and duplication under the act of February
5 14, 2008 (P.L.6, No.3), known as the Right-to-Know
6 Law.

7 * * *

8 Section 22. Section 1403-A(c)(1), (d) and (e) of the act,
9 amended July 8, 2022 (P.L.620, No.55), are amended to read:
10 Section 1403-A. Scope of program and selection of students.

11 * * *

12 (c) Student requirements.--A student may enroll in the
13 recovery high school under the program if the following apply:

14 [(1) (i) Subject to subparagraph (ii), the student
15 resides in a school district of the first class, which
16 has approved the student's enrollment in the recovery
17 high school under the program and, with the written
18 consent of the student's parent or guardian, has applied
19 for enrollment in the recovery high school on the
20 student's behalf.

21 (ii) If fewer than 20 students residing in a school
22 district of the first class enroll in the recovery high
23 school under the program at any time under subparagraph
24 (i), a student who resides in a school district other
25 than a school district of the first class may enroll in
26 the recovery high school under the program if the
27 student's resident school district has approved the
28 student's enrollment in the recovery high school under
29 the program and, with the written consent of the
30 student's parent or guardian, has applied for enrollment
31 in the recovery high school on the student's behalf.]

32 * * *

33 [(d) Approval or disapproval by resident school district.--
34 Within 15 days after a student's parent or guardian submits a
35 written request to the resident school district seeking the
36 student's enrollment in the recovery high school under the
37 program, the resident school district shall issue written notice
38 to the parent or guardian approving or disapproving the request.

39 (e) Hearing.--If a parent or guardian disagrees with a
40 resident school district's disapproval of the student's
41 enrollment in the recovery high school under the program, the
42 following shall apply:

43 (1) For a student with an IEP, the due process hearing
44 requirements of 22 Pa. Code Ch. 14 (relating to special
45 education services and programs) shall apply.

46 (2) For a student without an IEP, the resident school
47 district shall follow a notice and hearing process that the
48 department shall develop and post on its publicly accessible
49 Internet website.

50 (3) If a student's enrollment in the recovery high
51 school under the program is not approved by the student's

1 resident school district or if the student's parent or
2 guardian chooses not to participate in the program
3 established under section 1402-A, the student's parent or
4 guardian may pay the student's tuition to enroll in the
5 recovery high school, provided that the recovery high school
6 has approved the student's enrollment in the recovery high
7 school.]

8 Section 23. The act is amended by adding a section to read:
9 Section 1403.1-A. Enrollment of students.

10 (a) Conditions.--A student may enroll in the recovery high
11 school under the program established in section 1402-A if the
12 following apply:

13 (1) Subject to paragraph (2), the student resides in a
14 school district of the first class and the student's parent
15 or guardian has applied for enrollment in the recovery high
16 school on the student's behalf.

17 (2) If fewer than 20 students residing in a school
18 district of the first class enroll in the recovery high
19 school under the program at any time, a student who resides
20 in a school district other than a school district of the
21 first class may enroll in the recovery high school under the
22 program if the student's parent or guardian has applied for
23 enrollment in the recovery high school on the student's
24 behalf.

25 (b) Payment.--The Department of Education shall pay any
26 tuition due from the student's school district of residence
27 under section 1405-A to the recovery high school by subtracting
28 the amount from State subsidies payable to the student's school
29 district of residence.

30 Section 24. Section 1404-A of the act is repealed:
31 [Section 1404-A. Academic programs.

32 (a) Assessments.--The recovery high school shall administer
33 to all students enrolled in the recovery high school under the
34 program any assessments that are required under 22 Pa. Code Ch.
35 4 (relating to academic standards and assessment). Student
36 scores on any required assessments shall be attributed to the
37 student's resident school district for purposes of compliance
38 with the Every Student Succeeds Act (Public Law 114-95, 129
39 Stat. 1802).

40 (b) Certification.--At least 75% of the professional staff
41 members of the recovery high school shall hold appropriate State
42 certification, provided that all professional staff members of
43 the recovery high school who are responsible for providing
44 special education services to students enrolled in the recovery
45 high school under the program shall hold appropriate State
46 certification in special education.

47 (c) Licensure.--If a student enrolled in the recovery high
48 school is subject to an IEP, the recovery high school must be
49 licensed to provide any services required to be provided under
50 the student's IEP.]

51 Section 25. The act is amended by adding a section to read:

1 Section 1517-D. Quarterly reporting.

2 (a) Amendment of system.--No later than March 31, 2024, the
3 department shall amend the department's system to allow for
4 collection of information required under this subsection.

5 (b) Information to be collected.--Beginning on April 1,
6 2024, an approved provider shall provide to the department:

7 (1) Notice and information on an eligible student
8 enrolled in a program-funded slot in the approved provider's
9 program within 15 days of the enrollment.

10 (2) Notice and information on an eligible student's
11 removal from enrollment in a program-funded slot in the
12 approved provider's program within 15 days from the removal
13 of enrollment.

14 (c) Report.--By July 31, 2024, and each quarter thereafter,
15 the department shall, from the information reported by the
16 approved providers under subsection (b), report to the
17 chairperson and minority chairperson of the Appropriations
18 Committee of the Senate and the chairperson and minority
19 chairperson of the Appropriations Committee of the House of
20 Representatives the following:

21 (1) The total number of eligible students enrolled in a
22 program-funded slot for each approved provider organized by
23 month in the previous quarter.

24 (2) The number of eligible students newly enrolled in a
25 program-funded slot for each approved provider organized by
26 month in the previous quarter.

27 (3) The number of eligible students removed from
28 enrollment in a program-funded slot for each approved
29 provider organized by month in the previous quarter.

30 (4) The number of eligible students enrolled for 90% of
31 the month in a program-funded slot for each approved provider
32 organized by month in the previous quarter.

33 (5) A listing by county of the total number of requested
34 program-funded slots for students from eligible providers in
35 the county and the total number of slots approved for all
36 approved providers in the county for the current fiscal year.

37 (6) Other information the department deems necessary.

38 (d) Duty of secretary.--By the July 31, 2024, report and
39 each quarterly report thereafter, the Secretary of Education
40 shall meet in person with the chairperson, or a designee, and
41 minority chairperson, or a designee, of the Appropriations
42 Committee of the Senate and the chairperson, or a designee, and
43 minority chairperson, or a designee, of the Appropriations
44 Committee of the House of Representatives to report on the
45 information collected under this section. The requirement under
46 this subsection may be waived by agreement in writing of the
47 chairperson and minority chairperson of the Appropriations
48 Committee of the Senate and the chairperson and minority
49 chairperson of the Appropriations Committee of the House of
50 Representatives.

51 Section 26. Section 1607(b) of the act is amended by adding

1 a paragraph and the section is amended by adding a subsection to
2 read:

3 Section 1607. Attendance in Other Districts.--* * *

4 (b) If a third class school district operating under a
5 special board of control pursuant to section 692 has, with the
6 approval of the Secretary of Education, curtailed its
7 educational program by eliminating its high school and has not
8 assigned its high school pupils to another school district and
9 provided adequate transportation in a manner under subsection
10 (a), the secretary shall have the following authority:

11 * * *

12 (5) For the 2023-2024 school year and each school year
13 thereafter, the per pupil tuition rate that a school district
14 designated under paragraph (1) shall receive for each reassigned
15 student in a regular or special education program shall be the
16 sum of:

17 (i) the tuition rate established for the prior school year;
18 and

19 (ii) the product of:

20 (A) the tuition rate established for the prior school year;
21 and

22 (B) the average of the most recent percentage increase in
23 the Statewide average weekly wage and the employment cost index
24 as defined in the "Taxpayer Relief Act."

25 * * *

26 (b.2) (1) A school district that eliminated its high school
27 under subsection (b) shall not reopen its high school without
28 the approval of the Secretary of Education.

29 (1.1) The distressed school district subject to this section
30 may submit a plan to reopen its high school to the Secretary of
31 Education.

32 (2) Upon receipt of a plan, the Secretary of Education may
33 consider the following information as a basis for approval:

34 (i) The financial sustainability of the plan to reopen the
35 high school.

36 (ii) The demographic trends of the distressed school
37 district subject to this section.

38 (iii) Proposed faculty levels and curriculum offerings.

39 (iv) The contents of the most recent report required under
40 subsection (i) (2).

41 (v) The involvement of the school districts identified under
42 subsection (b) (1) in the plan to reopen the high school.

43 (vi) Any other information as determined by the Secretary of
44 Education.

45 * * *

46 Section 27. Section 1913-A(b) (1.6) of the act is amended by
47 adding a subparagraph to read:

48 Section 1913-A. Financial Program; Reimbursement of
49 Payments.--* * *

50 (b) * * *

51 (1.6) For the 2006-2007 fiscal year and each fiscal year

1 thereafter, the payment for a community college shall consist of
2 the following:

3 * * *

4 (xviii) For the 2023-2024 fiscal year, each community
5 college shall receive an amount equal to the following:

6 (A) An amount equal to the reimbursement for operating costs
7 received in fiscal year 2022-2023 under subparagraphs (xvi) (A)
8 and (C) and (xvii).

9 (B) An amount equal to the economic development stipend
10 received in fiscal year 2022-2023 under subparagraph (xvi) (B).

11 (C) For each community college that receives funding under
12 clauses (A) or (B), an additional amount for operating costs
13 determined for each community college, as follows:

14 (I) Multiply the audited full-time equivalent enrollment as
15 verified under subsection (k.1) for the most recent year
16 available for the community college by \$5,130,000.

17 (II) Divide the product in subclause (I) by the sum of the
18 audited full-time equivalent enrollment as verified under
19 subsection (k.1) for the most recent year available for all
20 community colleges that receive funding under subparagraphs (A)
21 and (B).

22 * * *

23 Section 28. The act is amended by adding a section to read:
24 Section 2327. State Aid for Fiscal Year 2023-2024.

25 Notwithstanding any other provision of law to the contrary,
26 from money appropriated for a subsidy to public libraries, funds
27 shall be distributed in fiscal year 2023-2024 as follows:

28 (1) The State Librarian shall distribute \$6,717 to each
29 district library center that received less than the amount
30 specified under 24 Pa.C.S. § 9338(b) (2) (relating to district
31 library center aid) in fiscal year 2022-2023 from funds
32 allocated under section 2326(1).

33 (2) All funds remaining after the distribution under
34 paragraph (1) shall be distributed to each library under the
35 following formula:

36 (i) Divide the sum of the amount of funding the
37 library received in fiscal year 2022-2023 under section
38 2326(1) and paragraph (1) by the sum of the total amount
39 of State aid provided under section 2326(1) and paragraph
40 (1).

41 (ii) Multiply the quotient under subparagraph (i) by
42 \$70,422,981.

43 (3) Following distribution of funds appropriated for
44 State aid to libraries under paragraphs (1) and (2), any
45 remaining funds may be distributed at the discretion of the
46 State Librarian.

47 (4) If funds appropriated for State aid to libraries in
48 fiscal year 2023-2024 are less than funds appropriated in
49 fiscal year 2002-2003, the State Librarian may waive
50 standards as prescribed in 24 Pa.C.S. Ch. 93 (relating to
51 Public Library Code).

1 (5) Each library system receiving State aid under this
2 subsection may distribute the local library share of that aid
3 in a manner as determined by the board of directors of the
4 library system.

5 (6) In the case of a library system that contains a
6 library operating in a city of the second class, changes to
7 the distribution of State aid to the library shall be made by
8 mutual agreement between the library and the library system.

9 (7) In the event of a change in district library center
10 population prior to the effective date of this section as a
11 result of:

12 (i) a city, borough, town, township, school district
13 or county moving from one library center to another; or

14 (ii) a transfer of district library center status to
15 a county library system; funding of district library
16 center aid shall be paid based on the population of the
17 newly established or reconfigured district library
18 center.

19 (8) In the event of a change in direct service area from
20 one library to another, the State Librarian, upon agreement
21 of the affected libraries, may redistribute the local library
22 share of aid to the library currently servicing the area.

23 Section 29. Sections 2502.8(b)(1), 2509.1(c.2)(1) and
24 2510.3(a)(2) of the act, amended July 8, 2022 (P.L.620, No.55),
25 are amended to read:

26 Section 2502.8. Payments on Account of Pupils Enrolled in
27 Career and Technical Curriculums.--* * *

28 (b) For the 1981-1982 school year through the 1984-1985
29 school year, each school district so entitled shall be paid, in
30 addition to any other subsidy to which it is entitled, an amount
31 on account of resident pupils enrolled in career and technical
32 curriculums; for the 1985-1986 school year through the 1999-2000
33 school year, each school district and area career and technical
34 school shall be paid an amount on account of students enrolled
35 in career and technical curriculums; for the 2000-2001 school
36 year and each school year thereafter, each school district, area
37 career and technical school and charter school shall be paid an
38 amount on account of students enrolled in career and technical
39 curriculums, determined as follows:

40 (1) Determine the increase in the weighted average daily
41 membership by multiplying the number of students in average
42 daily membership in career and technical curriculums in area
43 career and technical schools by twenty-one hundredths (.21) and
44 the number of students in average daily membership in school
45 district and charter school career and technical curriculums by
46 seventeen hundredths (.17); except[, for]:

47 (i) for the 2021-2022 school year [and each fiscal year
48 thereafter], determine the increase in the weighted average
49 daily membership by multiplying the number of students in
50 average daily membership in career and technical curriculums in
51 area career and technical schools by two thousand two hundred

1 seventy-six ten thousandths (.2276) and the number of students
2 in average daily membership in school district and charter
3 school career and technical curriculums by one thousand eight
4 hundred forty-four ten thousandths (.1844).

5 (ii) For the 2022-2023 school year and each fiscal year
6 thereafter, determine the increase in the weighted average daily
7 membership by multiplying the number of students in average
8 daily membership in career and technical curriculums in area
9 career and technical schools by two thousand four hundred
10 seventy-two ten thousandths (.2472) and the number of students
11 in average daily membership in school district and charter
12 school career and technical curriculums by two thousand eleven
13 ten thousandths (.2011).

14 * * *

15 Section 2509.1. Payments to Intermediate Units.--* * *

16 (c.2) The following apply:

17 (1) For the 2016-2017, 2017-2018, 2018-2019, 2019-2020,
18 2020-2021, 2021-2022 [and], 2022-2023 and 2023-2024 school
19 years, five and five-tenths percent (5.5%) of the State special
20 education appropriation shall be paid to intermediate units on
21 account of special education services.

22 * * *

23 Section 2510.3. Assistance to School Districts Declared to
24 be in Financial Recovery Status or Identified for Financial
25 Watch Status.--(a) The following apply:

26 * * *

27 (2) For the 2017-2018, 2018-2019, 2019-2020, 2020-2021,
28 2021-2022 [and], 2022-2023 and 2023-2024 fiscal years, the
29 Department of Education may utilize up to seven million dollars
30 (\$7,000,000) of undistributed funds not expended, encumbered or
31 committed from appropriations for grants, subsidies and
32 assessments made to the Department of Education to assist school
33 districts declared to be in financial recovery status under
34 section 621-A, identified for financial watch status under
35 section 611-A or identified for financial watch status under
36 section 694-A; except that the funds must be first utilized to
37 accomplish the provisions contained in section 695-A. The funds
38 shall be transferred by the Secretary of the Budget to a
39 restricted account as necessary to make payments under this
40 section and, when transferred, are hereby appropriated to carry
41 out the provisions of this section.

42 * * *

43 Section 30. Section 2599.6 of the act is amended by adding a
44 subsection to read:

45 Section 2599.6. Ready-to-Learn Block Grant.--* * *

46 (a.4) For the 2023-2024 school year and each school year
47 thereafter, each school entity shall receive a Ready-to-Learn
48 Block Grant in an amount not less than the amount received by
49 the school entity from the appropriation for the Ready-to-Learn
50 Block Grant during the 2022-2023 fiscal year.

51 * * *

1 Section 31. Section 2599.7(b), (c) and (d) of the act are
2 amended to read:

3 Section 2599.7. Payment of Required Contribution for Public
4 School Employes' Social Security.--* * *

5 (b) For the fiscal year beginning July 1, 2019, through the
6 fiscal year ending June 30, 2023, payment of the amounts
7 calculated under 24 Pa.C.S. § 8329 for school districts shall be
8 made from the appropriation for basic education funding.

9 (c) For the fiscal year beginning July 1, 2019, through the
10 fiscal year ending June 30, 2023, if insufficient funds are
11 available for payment of the amounts calculated under 24 Pa.C.S.
12 § 8329 for school districts, the Department of Education shall
13 notify the Governor, the chairperson and minority chairperson of
14 the Appropriations Committee of the Senate and the chairperson
15 and minority chairperson of the Appropriations Committee of the
16 House of Representatives of the amount of the insufficiency. An
17 amount equal to the insufficiency may only be paid to school
18 districts from a supplemental appropriation in the general
19 appropriations act.

20 (d) For the fiscal year beginning July 1, 2019, through the
21 fiscal year ending June 30, 2023, if the amount calculated for
22 payments to school districts under 24 Pa.C.S. § 8329 exceeds the
23 amount necessary, the Department of Education shall notify the
24 Governor, the chairperson and minority chairperson of the
25 Appropriations Committee of the Senate and the chairperson and
26 minority chairperson of the Appropriations Committee of the
27 House of Representatives of the amount of the excess. An amount
28 equal to the excess shall be distributed to school districts as
29 a supplemental payment calculated under the formula contained in
30 section 2502.53.

31 * * *

32 Section 32. This act shall take effect as follows:

33 (1) The addition of Article XII-B of the act shall take
34 effect in 60 days.

35 (2) The remainder of this act shall take effect
36 immediately.