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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 301 Session of  
2023

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

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AMENDMENTS TO SENATE AMENDMENTS, HOUSE OF REPRESENTATIVES,  
NOVEMBER 15, 2023

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AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An  
2 act relating to the public school system, including certain  
3 provisions applicable as well to private and parochial  
4 schools; amending, revising, consolidating and changing the  
5 laws relating thereto," in preliminary provisions, further  
6 providing for special provisions applicable to limited school  
7 years; in duties and powers of board of school directors,  
8 further providing for additional schools and departments; in  
9 grounds and buildings, further providing for limitation on  
10 new applications for Department of Education approval of  
11 public school building projects; in school directors'  
12 associations and county boards of school directors, further  
13 providing for powers and duties; in intermediate units,  
14 further providing for visual services and for school safety  
15 and security enhancements; in certification of teachers,  
16 further providing for substitute teaching permit for  
17 prospective teachers and for locally issued temporary  
18 certification for substitute teachers, repealing provisions  
19 relating to permit for classroom monitors and providing for  
20 permit for classroom monitors; providing for the Educator  
21 Pipeline Support Grant Program; in pupils and attendance,  
22 further providing for compulsory education of physical  
23 defectives, for school lunch and breakfast reimbursement, for  
24 dependent children, for actual cost of tuition and  
25 maintenance of certain exceptional children in the four  
26 chartered schools for education of the deaf and the blind,  
27 for payment of cost of tuition and maintenance of certain  
28 exceptional children, for transfer of funds for transferal  
29 programs and for children under six with defective hearing

1 and parent or guardian advised of schools, etc.; in safe  
2 schools, further providing for definitions and for Office for  
3 Safe Schools, repealing provisions relating to regulations  
4 and to reporting, further providing for policy relating to  
5 bullying and for maintenance of records and repealing  
6 provisions relating to Safe Schools Advocate in School  
7 Districts of the First Class, to standing, to enforcement and  
8 to construction of article and other laws; in school safety  
9 and security, further providing for definitions and for  
10 school safety and security committee, providing for duties of  
11 committee, further providing for School Safety and Security  
12 Grant Program, providing for Targeted School Safety Grants  
13 for Nonpublic Schools and School Entities Program, for  
14 standardized protocols, for county safe schools'  
15 collaborative and for school mental health grants for 2023-  
16 2024 school year, further providing for school safety and  
17 security coordinator training and providing for reporting and  
18 memorandum of understanding, for safe schools advocate in  
19 school districts of the first class and for enforcement; in  
20 school security, further providing for definitions, for  
21 school police officers, for annual report and for school  
22 security guards; in character education program, further  
23 providing for character education program; in community  
24 colleges, further providing for financial program and  
25 reimbursement of payments; ~~in educational tax credits,~~ <--  
26 ~~further providing for definitions, for qualification and~~  
27 ~~application by organizations and for limitations;~~ in school  
28 districts of the first class, further providing for  
29 qualifications of principals and teachers; in funding for  
30 public libraries, providing for State aid for fiscal year  
31 2023-2024; in reimbursements by Commonwealth and between  
32 school districts, further providing for definitions and for  
33 payments on account of pupils enrolled in career and  
34 technical curriculums, for payments on account of courses for  
35 exceptional children, for payments to intermediate units, for  
36 assistance to school districts declared to be in financial  
37 recovery status or identified for financial watch status, for  
38 payments, for payments on account of pupil transportation,  
39 for Ready-to-Learn Block Grant and for payment of required  
40 contribution for public school employees' Social Security; in  
41 construction and renovation of buildings by school entities,  
42 further providing for applicability; providing for School  
43 Environmental Repairs Program; and making an editorial  
44 change.

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

47 Section 1. Sections 129 and 502 of the act of March 10, 1949  
48 (P.L.30, No.14), known as the Public School Code of 1949, are  
49 amended to read:

50 Section 129. Special Provisions Applicable to Limited School  
51 Years.--Notwithstanding any provision of law or regulation to  
52 the contrary, [for the 2021-2022 and 2022-2023 school years,]

1 if, in the judgment of a school employer, an emergency or  
2 shortage of day-to-day substitute teachers exists under 24  
3 Pa.C.S. § 8346(b) (relating to termination of annuities), the  
4 school employer may hire an annuitant, as defined in 24 Pa.C.S.  
5 § 8102 (relating to definitions), regardless of whether the  
6 school employer first attempts to secure nonretired personnel,  
7 except that the school employer shall comply with section  
8 1125.1(d) (2) by first offering the work to any certified  
9 professional employe on a recall list. The provisions of 24  
10 Pa.C.S. § 8346(b) regarding the continuation of annuity or  
11 distributions to an annuitant who returns to school service  
12 during an emergency shall apply to annuitants hired under this  
13 section. Nothing under this section shall supersede or preempt a  
14 provision of an existing collective bargaining agreement between  
15 a school employer and an exclusive representative of the  
16 employes under the act of July 23, 1970 (P.L.563, No.195), known  
17 as the "Public Employe Relations Act."

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

- 24 High schools,
- 25 Trade schools,
- 26 Career and technical schools,
- 27 Cafeterias,
- 28 Agricultural schools,
- 29 Evening schools,
- 30 Kindergartens,

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

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

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

21 Section 2. Section 732.1(a) of the act, amended July 8, 2022  
22 (P.L.620, No.55), is amended to read:

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

1 article.

2 \* \* \*

3 Section 3. Sections 925 and 923.2-A of the act are amended  
4 to read:

5 Section 925. Powers and Duties.--

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

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

27 (3) All contracts procured hereunder shall conform and be  
28 subject to all the provisions of any existing or future laws  
29 concerning group insurance contracts.

30 Section 923.2-A. Visual Services.--(a) Legislative Finding;

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

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

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

22 "Visual services" means diagnostic, evaluative and  
23 instructional visual services for children.

24 (c) Provision of Services. The Secretary of Education,  
25 directly or through the intermediate units out of their  
26 allocation under section 922.1-A shall have the power and duty  
27 to furnish free to nonpublic school students, upon the premises  
28 of the nonpublic schools which they regularly attend, services  
29 adequate for the diagnosis and evaluation of visual [defects]  
30 impairments and instruction and training in skills advisable for

1 the education, independence and safety of such children,  
2 including but not limited to mobility training, provided that  
3 such services are also afforded to public school students by the  
4 public school district in which such nonpublic school is  
5 located.

6 Section 4. The definition of "school safety and security  
7 enhancements" in section 923.3-A(b) and subsection (c) of the  
8 act are amended to read:

9 Section 923.3-A. School Safety and Security Enhancements.-\*

10 \* \*

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

12 \* \* \*

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

17 (c) Program of School Safety and Security Enhancements. A  
18 program of school security enhancements shall be provided by an  
19 intermediate unit in which a nonpublic school is located, in  
20 accordance with standards developed by the [Secretary of  
21 Education in consultation with the Office of Safe Schools and  
22 the Pennsylvania Commission on Crime and Delinquency.] School  
23 Safety and Security Committee established under section 1302-B  
24 in consultation with the Department of Education. Through the  
25 program, an intermediate unit shall make application for school  
26 safety and security enhancements upon the request of a nonpublic  
27 school or combination of nonpublic schools located within the  
28 intermediate unit. School safety and security enhancements for  
29 which grants are received shall be provided for or contracted  
30 for directly by the intermediate unit or loaned by the

1 intermediate unit to the nonpublic school.

2 \* \* \*

3 Section 5. Section 1201.1(3) of the act is amended and the  
4 section is amended by adding a paragraph to read:

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

10 \* \* \*

11 (3) An individual receiving a Substitute Teaching Permit for  
12 Prospective Teachers may serve as a substitute teacher for no  
13 more than ten (10) days per school year for a single  
14 professional employe or temporary professional employe, provided  
15 that the individual may serve as a substitute for multiple  
16 professional employes or temporary professional employes for no  
17 more than twenty (20) days per school year. [For the 2021-2022  
18 and 2022-2023] Subject to paragraph (3.1), for the 2023-2024,  
19 2024-2025 and 2025-2026 school years, the number of days or  
20 hours per school year for which an individual receiving a permit  
21 under this section may serve as a substitute teacher shall not  
22 be limited, except for an individual who is undertaking a  
23 student teacher program as required under 22 Pa. Code §  
24 354.25(f) (relating to preparation program curriculum) for  
25 educator preparation programs.

26 (3.1) During an individual's student teacher program  
27 required under 22 Pa. Code § 354.25(f) (relating to preparation  
28 program curriculum) for educator preparation programs, the  
29 individual may serve as a substitute teacher for no more than  
30 ten (10) days in the individual's assigned classroom or



1 classrooms or for other teachers within the building or  
2 buildings in which the individual has been placed as a student  
3 teacher.

4 \* \* \*

5 Section 6. Section 1215 of the act is amended to read:

6 Section 1215. Locally Issued Temporary Certification for  
7 Substitute Teachers.--A temporary substitute teacher certificate  
8 may be issued by a public school entity to an individual who  
9 presents a letter from a college or university verifying that  
10 the individual has completed an approved teacher preparation  
11 program, has successfully completed the certification testing  
12 requirements or is in the process of scheduling the required  
13 certification testing and has completed all requirements for the  
14 awarding of a bachelor's degree on a date certain. The temporary  
15 substitute teacher certificate shall only be used for day-to-day  
16 assignments and shall expire upon the termination of any summer  
17 school conducted in the summer which follows the date of  
18 issuance or upon the receipt of Instructional I certification by  
19 the individual. [For the 2021-2022 and 2022-2023 school years,  
20 the] The temporary substitute teacher certificate issued under  
21 this section may be used for assignments of more than twenty  
22 (20) consecutive days to fill a position due to the absence of  
23 professional certified personnel.

24 Section 7. Section 1218 of the act, expired June 30, 2023,  
25 is repealed:

26 [Section 1218. Permit for Classroom Monitors.--(a) A school  
27 entity may request that the department issue a classroom monitor  
28 permit to allow an individual to deliver to students assignments  
29 that are preplanned by a professional employe or temporary  
30 professional employe. A classroom monitor may not plan lessons

1 or create or grade student work.

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

4 (1) Has completed at least sixty (60) semester hours or the  
5 equivalent of courses at a college or university located in this  
6 Commonwealth and accredited by a regional accrediting agency, or  
7 has at least three (3) years' experience as a paraprofessional  
8 in a school entity and is currently employed as a  
9 paraprofessional in a school entity.

10 (2) Has met the requirements under sections 111, 111.1 and  
11 1109(a) and 23 Pa.C.S. Ch. 63 Subch. C (relating to powers and  
12 duties of department).

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

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

16 (c) An individual receiving a permit under this section who  
17 is already employed by the school entity as a paraprofessional  
18 shall receive the higher of the individual's existing  
19 contractual compensation or the compensation established by the  
20 school entity for day-to-day substitute teachers.

21 (d) Each school entity that uses the services of a classroom  
22 monitor under this section shall ensure that each student who  
23 receives services under an Individualized Education Program  
24 under the Individuals with Disabilities Education Act (Public  
25 Law 91-230, 20 U.S.C. § 1400 et seq.) receives a free and  
26 appropriate public education as required under the Individuals  
27 with Disabilities Education Act.

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

30 (1) The number of individuals who served as classroom

1 monitors under this section and the number of days on which the  
2 school entity used the services of classroom monitors.

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

11 (f) By April 15, 2023, the department shall issue a report  
12 on the effectiveness of the classroom monitor permit and  
13 recommendations for improvement or continuation of the permit.  
14 The report shall include, but not be limited to, the information  
15 reported to the department under subsection (e) and a formal  
16 evaluation of the permit and its effectiveness by an independent  
17 research organization which may include a college or university  
18 accredited by a regional accrediting agency. The report shall be  
19 submitted to the General Assembly and the State Board and shall  
20 be posted on the department's publicly accessible Internet  
21 website.

22 (g) This section shall expire on June 30, 2023.]

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

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

30 (b) An individual receiving a permit under subsection (a)

1 shall satisfy all of the following:

2 (1) Has completed at least sixty (60) semester hours or the  
3 equivalent of courses at a college or university located in this  
4 Commonwealth and accredited by a regional accrediting agency or  
5 has at least three (3) years' experience as a paraprofessional  
6 in a school entity and is currently employed as a  
7 paraprofessional in a school entity.

8 (2) Has met the requirements under sections 111, 111.1 and  
9 1109(a) and 23 Pa.C.S. Ch. 63 Subch. C (relating to powers and  
10 duties of department).

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

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

14 (c) An individual receiving a permit under this section who  
15 is already employed by the school entity as a paraprofessional  
16 shall receive the higher of the individual's existing  
17 contractual compensation or the compensation established by the  
18 school entity for day-to-day substitute teachers.

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

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

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

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

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

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

21 Section 9. The act is amended by adding an article to read:

22 ARTICLE XII-B

23 EDUCATOR PIPELINE SUPPORT GRANT PROGRAM

24 Section 1201-B. Scope of article.

25 This article relates to educator workforce.

26 Section 1202-B. Definitions.

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

30 "Agency." The Pennsylvania Higher Education Assistance

1 Agency.

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

5 "Cooperating teacher." An individual who satisfies all of  
6 the following:

7 (1) Holds a certification under section 1201 in the  
8 subject area in which the individual will be providing  
9 guidance to the student teacher.

10 (2) Has received at least three years of satisfactory  
11 ratings as a certified teacher.

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

15 "Department." The Department of Education of the  
16 Commonwealth.

17 "Institution of higher education." A college or university  
18 that offers a program approved by the department to prepare  
19 professional personnel for employment in a school entity in  
20 accordance with 22 Pa. Code Ch. 49 (relating to certification of  
21 professional personnel).

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

23 "Program." The Educator Pipeline Support Grant Program  
24 established under section 1203-B.

25 "School entity." A school district, intermediate unit, area  
26 career and technical school, charter school, regional charter  
27 school or cyber charter school operating within this  
28 Commonwealth.

29 "Student teacher." An individual participating in a  
30 classroom teaching experience who, as part of an approved

1 educator preparation program for the initial or advanced  
2 preparation of professional educators, performs classroom  
3 teaching or assists in a school entity's or nonpublic school's  
4 education program under the supervision of a cooperating  
5 teacher.

6 Section 1203-B. Program establishment and duties of agency.

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

9 (b) Duties.--The agency, in consultation with the  
10 department, shall administer the program and, in the agency's  
11 sole discretion, award a grant to an individual who submits a  
12 completed application and satisfies the eligibility requirements  
13 under section 1204-B.

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

19 (d) Transfer of appropriation.--The appropriation in the  
20 amount of \$10,000,000 to the department in section 215 of the  
21 act of August 3, 2023 (P.L. , No.1A), known as the General  
22 Appropriation Act of 2023, for the purpose of teacher stipend is  
23 transferred to the agency for the administration and  
24 implementation of the program.

25 (e) Grant amount.--

26 (1) A student teacher shall receive a minimum grant of  
27 \$10,000.

28 (2) An eligible student teacher who completes required  
29 student teaching in a school entity in an area of this  
30 Commonwealth that attracts few student teachers or that has a

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

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

11 (4) An individual who receives a grant payment under  
12 this subsection shall not be considered a school employee for  
13 the purposes of 24 Pa.C.S. Pt. IV (relating to retirement for  
14 school employees) for the period during which the grant was  
15 awarded.

16 (f) Funding.--

17 (1) The agency shall use money appropriated or available  
18 for the purpose of the program and may accept funding from  
19 public and private sources, including the Federal Government,  
20 for the payment of grants under this section.

21 (2) If the agency determines that the demand for the  
22 program exceeds the available resources, the agency may  
23 request additional funding as part of the agency's budget  
24 request for the next fiscal year in accordance with section  
25 610 of the act of April 9, 1929 (P.L.177, No.175), known as  
26 The Administrative Code of 1929.

27 (g) Additional duties.--When the agency awards a grant to a  
28 student teacher under this article, the agency shall also award  
29 a grant payment to the student teacher's cooperating teacher.  
30 The cooperating teacher shall receive a minimum grant of \$2,500.



1 The agency may reduce the grant award amount to a cooperating  
2 teacher if the cooperating teacher receives compensation from an  
3 institution of higher education for serving as a cooperating  
4 teacher. An institution of higher education may not charge a  
5 student teacher who receives a grant for the cost of paying a  
6 cooperating teacher.

7 (h) Dissemination of information.--The agency shall annually  
8 provide information about the program on the department's  
9 publicly accessible Internet website and to all approved  
10 educator preparation programs and public and nonpublic secondary  
11 schools. An approved educator preparation program shall annually  
12 disseminate information about the program, including information  
13 identifying the school entities that qualify the student for an  
14 additional grant award amount under subsection (e).

15 (i) Payment.--The agency shall establish a method for paying  
16 grant awards under the program to a school entity or nonpublic  
17 school. The school entity or nonpublic school shall use all of  
18 the money received under the program for payment to student  
19 teachers and cooperating teachers as required by this section  
20 and the agency.

21 (j) Administrative fee.--The agency may take a reasonable  
22 administrative fee for direct costs associated with the  
23 implementation, administration and servicing of the program. The  
24 fee shall be taken from the funding received under subsection  
25 (f) and may not exceed 5%.

26 Section 1204-B. Eligibility.

27 (a) Eligibility.--For an individual to be eligible for a  
28 grant as a student teacher under the program, the individual  
29 shall meet all of the following:

30 (1) Be currently enrolled in an institution of higher

1 education located in this Commonwealth.

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

4 (3) Meet the minimum grade point average established  
5 under 22 Pa. Code § 354.24 (relating to academic  
6 performance).

7 (4) Be placed in a position as a student teacher at a  
8 school entity or nonpublic school located in this  
9 Commonwealth.

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

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

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

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

25 (d) Recovery of payments.--The agency shall implement  
26 guidelines to ensure recordkeeping to track compliance with  
27 subsection (a) (6). The agency may recover a payment made to a  
28 teacher who does not comply with subsection (a) (6) unless the  
29 agency determines there are extenuating circumstances.

30 Section 1205-B. Report.

1 (a) General rule.--The agency shall prepare and submit to  
2 the Governor, the Secretary of Education and the General  
3 Assembly no later than December 31, 2024, and each December 31  
4 thereafter, to the extent that funds are available, a report  
5 detailing the operation of the program. The report shall, at a  
6 minimum, include:

7 (1) The number of applicants.

8 (2) The number of applicants who received a grant under  
9 the program.

10 (3) The number of applicants who received an additional  
11 award under section 1203-B(f).

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

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

16 (6) A list of school entities where grantees are  
17 employed following certification.

18 (7) The number of applicants who did not fulfill the  
19 requirements under section 1204-B(a)(6).

20 (8) Any other information the agency determines.

21 (b) Coordination.--The department and the Department of  
22 Labor and Industry shall assist the agency by providing  
23 necessary data to determine outcomes related to the program.  
24 Section 1206-B. Data collection.

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

28 (1) A school entity or nonpublic school who is  
29 interested in hosting a student teacher may submit to the  
30 department the number of student teachers the school entity

1 or nonpublic school is seeking for the upcoming school year.  
2 If a school entity's or nonpublic school's request for  
3 student teachers from the previous school year was not  
4 fulfilled, the school entity or nonpublic school may report  
5 the shortage of requested student teachers.

6 (2) Each approved educator preparation program shall  
7 submit to the department the number of student teachers  
8 placed by the approved educator preparation program in the  
9 previous school year. If the approved educator preparation  
10 program had more requests for student teachers than available  
11 student teachers, the approved educator preparation program  
12 shall report the shortage of available student teachers to  
13 the department.

14 (3) No later than July 31, 2024, and each July 31  
15 thereafter, each approved educator preparation program shall  
16 report:

17 (i) The number of agreements between approved  
18 educator preparation programs and school entities or  
19 nonpublic schools for the purpose of placing student  
20 teachers.

21 (ii) The name of each school entity or nonpublic  
22 school with which an approved educator preparation  
23 program entered into an agreement.

24 (iii) The number of student teachers placed in the  
25 previous year by an approved educator preparation program  
26 and the school entity or nonpublic school at which the  
27 student teacher was placed.

28 (b) (Reserved).

29 Section 1207-B. Miscellaneous provisions.

30 (a) Institutions of higher education.--Within one year of

1 the effective date of this section, if an institution of higher  
2 education requires a student enrolled in an approved educator  
3 preparation program to take a class or seminar as part of the  
4 student teaching experience while the student is participating  
5 in a student teaching program, the institution of higher  
6 education shall provide the student with the ability to  
7 participate in the class or seminar by virtual means.

8 (b) Credit.--If a student teacher receives a grant under the  
9 program, an approved educator preparation program may not  
10 prohibit the student teacher from receiving academic credit for  
11 participating in a student teacher experience if the student  
12 teacher successfully completes the student teaching experience.

13 Section 10. Section 1328 of the act is amended to read:

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

26 Section 10.1. Section 1337.1 of the act is amended by adding  
27 a subsection to read:

28 Section 1337.1. School Lunch and Breakfast Reimbursement.--\*

29 \* \*

30 (c.2) To the extent funds are available, the department

1 shall provide State reimbursement to schools that participate in  
2 the National School Lunch Program and the National School  
3 Breakfast Program for the difference between the reimbursement  
4 rate for a free lunch and a reduced price lunch and the  
5 difference between the reimbursement rate for a free breakfast  
6 and a reduced price breakfast or paid breakfast.

7 \* \* \*

8 Section 10.2. Sections 1338 and 1376(a) of the act are  
9 amended to read:

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

26 Section 1376. Cost of Tuition and Maintenance of Certain  
27 Exceptional Children in Approved Institutions.--(a) When any  
28 child between school entry age and twenty-one (21) years of age  
29 and resident in this Commonwealth, who is blind or deaf, or has  
30 cerebral palsy and/or neurological impairment and/or muscular

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

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

19 \* \* \*

20 Section 11. Sections 1377, 1377.1 and 1379, Article XIII-A  
21 heading and sections 1301-A and 1302-A of the act are amended to  
22 read:

23 Section 1377. Payment of Cost of Tuition and Maintenance of  
24 Certain [Exceptional] Children with Disabilities.--(a) To  
25 facilitate payments by the several school districts to the  
26 schools or institutions in which [deaf or blind] children who  
27 are hearing impaired or visually impaired, or cerebral palsied  
28 and/or [brain damaged] have a brain injury and/or muscular  
29 dystrophied, or socially and emotionally [disturbed] disabled or  
30 [mentally retarded children] intellectually disabled are



1 enrolled, of amounts due by such districts for their proportion  
2 of the cost of tuition and maintenance of such children, the  
3 Secretary of Education shall withhold from any moneys due to  
4 such districts out of any State appropriation for the assistance  
5 as reimbursement of school districts, the amounts due by such  
6 districts to such schools or institutions for the [blind or the  
7 deaf] visually impaired or hearing impaired, or the cerebral  
8 palsied and/or [brain damaged] who have a brain injury and/or  
9 muscular dystrophied or the socially and emotionally [disturbed]  
10 disabled and/or [mentally retarded] intellectually disabled.  
11 Amounts so withheld shall be specifically appropriated to the  
12 Department of Education.

13 (b) Payments of the Commonwealth's proportion of the cost of  
14 tuition and maintenance of [blind or deaf] students who are  
15 visually impaired or hearing impaired, or cerebral palsied  
16 and/or [brain damaged] who have a brain injury and/or muscular  
17 dystrophied, or socially and emotionally [disturbed] disabled  
18 and/or [mentally retarded pupils] intellectually disabled and  
19 are enrolled in schools or institutions for the [blind or for  
20 the deaf] visually impaired or hearing impaired, or for the  
21 cerebral palsied and/or [brain damaged] brain injured and/or  
22 muscular dystrophied, or for the socially and emotionally  
23 [disturbed] disabled and of the cost of instruction of parents  
24 of [blind] visually impaired pupils less than school entry age,  
25 as hereinbefore provided, shall be made quarterly, out of moneys  
26 appropriated to the Department of Education for special  
27 education. Except for the provisions of section 1376.1 providing  
28 for the actual cost of tuition and maintenance of certain  
29 [exceptional] children with disabilities in the four chartered  
30 schools for education of the [deaf and of the blind] hearing

1 impaired or visually impaired, in no event shall the total  
2 payment for the cost of tuition and maintenance of any such  
3 child exceed the rates per year allowed under section 1376. The  
4 maximum amount payable for the cost of tuition and maintenance  
5 of such children shall be subject to review at least once every  
6 two years for the purpose of recommending an adjustment thereof.

7 (c) For the purpose of enabling the Department of Education  
8 to determine from time to time what amounts are due to schools  
9 for the [blind or for the deaf] visually impaired or hearing  
10 impaired or for the cerebral palsied and/or [brain damaged]  
11 brain injured and/or muscular dystrophied or for the socially  
12 and emotionally [disturbed] disabled and/or [mentally retarded]  
13 intellectually disabled hereunder, such schools shall forward to  
14 the department, at such times and in such form as the department  
15 shall prescribe, sworn statements setting forth the names, ages,  
16 and residences of all pupils enrolled hereunder, specifying the  
17 school districts liable for a part of the cost of tuition and  
18 maintenance of any such pupils, the per capita cost of and  
19 maintenance of pupils, and such other information as the  
20 department shall require.

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

26 (d) When, during the course of the 1982-1983 school year,  
27 programs for [exceptional] children with disabilities are caused  
28 to be transferred from schools or institutions for the [blind or  
29 deaf] visually impaired or hearing impaired, or cerebral palsied  
30 or [brain damaged] brain injured or muscular dystrophied or

1 [mentally retarded] intellectually disabled, or socially and  
2 emotionally [disturbed] disabled, as provided for in sections  
3 1376 and 1376.1, to school districts or intermediate units, as  
4 provided for in sections 2509 and 2509.1, under unanticipated or  
5 emergency circumstances, and when such transfers necessitate the  
6 transfer of funds from the appropriation to the Department of  
7 Education for special education for approved private schools to  
8 the appropriation to the Department of Education for payments on  
9 account of special education of [exceptional] children with  
10 disabilities in public schools, the Secretary of Education shall  
11 be empowered so to transfer such funds, upon approval of the  
12 Secretary of the Budget and written notification to the State  
13 Treasurer and the chairmen of the House and Senate  
14 Appropriations and Education Committees.

15 Section 1377.1. Transfer of Funds for Transferal Programs.--  
16 When, during the course of a school year or after the end of a  
17 school year, programs for [exceptional] children with  
18 disabilities are caused to be transferred from schools or  
19 institutions for the [blind or deaf] visually impaired or  
20 hearing impaired, or cerebral palsied or [brain damaged] brain  
21 injured or muscular dystrophied or [mentally retarded]  
22 intellectually disabled, or socially and emotionally [disturbed]  
23 disabled, as provided for in sections 1376 and 1376.1, to school  
24 districts or intermediate units, as provided for in sections  
25 2509 and 2509.1, and when such transfers necessitate the  
26 transfer of funds from the appropriation to the Department of  
27 Education for special education for approved private schools to  
28 the appropriation to the Department of Education for payments on  
29 account of special education of [exceptional] children with  
30 disabilities in public schools, the Secretary of Education shall

1 be empowered to transfer such funds, upon approval of the  
2 Secretary of the Budget and written notification to the State  
3 Treasurer and the chairmen of the House and Senate  
4 Appropriations and Education Committees.

5 Section 1379. Children Under Six with [Defective] Impaired  
6 Hearing; Parent or Guardian Advised of Schools, etc.--Whenever  
7 notified by the Department of Health of the case of a minor  
8 under six (6) years of age, who is totally [deaf or whose  
9 hearing is impaired] or partially hearing impaired, the  
10 Superintendent of Public Instruction, when in his judgment the  
11 same is deemed desirable, shall communicate to the parent or  
12 guardian the location of any special schools, and also the  
13 nearest public school having special classes for the instruction  
14 of the [hard of] hearing impaired, with the information  
15 concerning the advantages offered by such school or classes, the  
16 benefits to accrue to the child from attending such school or  
17 classes, and the manner in which the expenses of such  
18 instruction will be provided for.

19 ARTICLE XIII-A.

20 [SAFE SCHOOLS] STUDENT SUPPORTS.

21 Section 1301-A. Definitions.--As used in this article,

22 "Chief school administrator" shall mean the superintendent of  
23 a public school district, superintendent of an area career and  
24 technical school, executive director of an intermediate unit or  
25 chief executive officer of a charter school.

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

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

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

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

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

27 ["Student with a disability" shall mean a student who meets  
28 the definition of "child with a disability" under the  
29 Individuals with Disabilities Education Act (Public Law 91-230,  
30 20 U.S.C. § 1400 et seq.) or who meets the definition of a

1 "handicapped person" under section 504 of the Rehabilitation Act  
2 of 1973 (Public Law 93-112, 29 U.S.C. § 794) and its  
3 implementing regulations (34 C.F.R. § 104.3(j)). The term  
4 includes a student for whom an evaluation is pending under  
5 either the Individuals with Disabilities Education Act or  
6 Rehabilitation Act.]

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

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

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

16 (1) [To coordinate antiviolenence efforts between school,  
17 professional, parental, governmental, law enforcement and  
18 community organizations and associations.

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

22 (2.1) To direct all school entities to submit annual school  
23 violence statistics and reports to the office no later than July  
24 31 of each year.

25 (3)] To collect, develop and disseminate information,  
26 policies, strategies and other information to assist in the  
27 development of programs that support students, reduce  
28 unnecessary student disciplinary actions and promote an  
29 environment of greater productivity, safety and learning,  
30 including, but not limited to:

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

4 (ii) School-based diversion programs.

5 (iii) Classroom management.

6 (iv) Student discipline.

7 (v) Student codes of conduct.

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

10 (vii) Conflict resolution and dispute management.

11 (viii) Staff training programs in the use of positive  
12 behavior supports, de-escalation techniques, appropriate  
13 responses to student behavior that may require immediate  
14 intervention and trauma-informed treatment for mental health  
15 providers in schools.

16 (ix) Research-based violence prevention programs that  
17 address risk factors to reduce incidents of problem behaviors  
18 among students, including, but not limited to, mental health  
19 early intervention, self-care, bullying and suicide awareness  
20 and prevention.

21 (x) Risk assessment, safety-related, violence prevention  
22 curricula, including dating violence curricula, restorative  
23 justice strategies, mental health early intervention, self-care  
24 and suicide awareness and prevention curricula.

25 (xi) Evidence-based screenings for adverse childhood  
26 experiences that are proven to be determinants of physical,  
27 social and behavioral health and provide trauma-informed  
28 counseling services as necessary to students based upon the  
29 screening results.

30 (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



1 Internet website a School Safety Annual Report no later than  
2 November 1 of each calendar year outlining all incidents  
3 required to be reported under section 1303-A and any school  
4 district that failed to submit a report under section 1303-A.

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

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

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

17 [(c) In addition to the powers and duties set forth under  
18 subsection (b), the office is authorized to make targeted grants  
19 to school entities, and to intermediate units on behalf of  
20 nonpublic schools, to fund programs which address school  
21 violence, including:

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

24 (1.1) School-wide positive behavior support that includes  
25 primary or universal, secondary and tertiary supports and  
26 interventions in school entities.

27 (1.2) School-based diversion programs.

28 (2) Peer helpers programs.

29 (3) Risk assessment, safety-related, violence prevention  
30 curricula, including, but not limited to, dating violence

1 curricula and restorative justice strategies.

2 (4) Classroom management.

3 (5) Student codes of conduct.

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

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

11 (8) Comprehensive, districtwide school safety, violence  
12 prevention, emergency preparedness and all-hazards plans,  
13 including revisions or updates to such plans and conducting  
14 emergency preparedness drills and related activities with local  
15 emergency responders.

16 (9) Security planning, purchase of security-related  
17 technology which may include metal detectors, protective  
18 lighting, surveillance equipment, special emergency  
19 communications equipment, electronic locksets, deadbolts and  
20 theft control devices and training in the use of security-  
21 related technology. Security planning and purchase of security-  
22 related technology shall be based on safety needs identified by  
23 the school entity's board of directors.

24 (10) Institution of student, staff and visitor  
25 identification systems, including criminal background check  
26 software.

27 (12) Provision of specialized staff and student training  
28 programs, including training for Student Assistance Program team  
29 members in elementary, middle and high schools in the referral  
30 of students at risk of violent behavior to appropriate

1 community-based services, including mental health services.

2 (13) Alternative education programs provided for in Article  
3 XIX-C.

4 (14) Counseling services for students enrolled in  
5 alternative education programs.

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

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

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

12 (c.1) (1) In addition to the powers and duties set forth  
13 under subsections (b) and (c), the office is authorized to make  
14 targeted grants to school entities, municipalities, local law  
15 enforcement agencies and approved vendors to fund programs which  
16 address school violence by establishing or enhancing school  
17 security, including costs associated with the training and  
18 compensation of school resource officers and school police  
19 officers. Municipalities or local law enforcement agencies that  
20 receive grants under this subsection shall, with the prior  
21 consent of the governing board of the school entity or nonpublic  
22 school, assign school resource officers to carry out their  
23 official duties on the premises of the school entity or  
24 nonpublic school.

25 (2) Municipalities or local law enforcement agencies may not  
26 receive grant funds under this subsection for any purpose other  
27 than for costs associated with school resource officers and are  
28 not eligible for other grants provided to school entities under  
29 this section. In assigning school resource officers pursuant to  
30 this subsection, municipalities shall take into consideration

1 the proportion of students enrolled in each school entity or  
2 nonpublic school.

3 (3) Nonpublic schools are authorized to apply to the office  
4 for grant funding under paragraph (1) to be used for the costs  
5 associated with obtaining the services of a school police  
6 officer from a list of approved vendors certified by the office.  
7 Grant awards for this purpose shall be awarded and paid directly  
8 to the approved vendor with which the nonpublic school contracts  
9 for services. Nonpublic schools may not apply for grant funding  
10 under this section for any purpose other than obtaining the  
11 services of a school police officer under this paragraph.

12 (d) The office shall have the following duties as to  
13 targeted grants:

14 (1) Targeted grants shall be allocated through a competitive  
15 grant review process established by the office. School entities  
16 must satisfy the requirements of this section and section 1303-A  
17 to be eligible for grants. The application for a targeted grant  
18 shall include:

19 (i) the purpose for which the targeted grant shall be  
20 utilized;

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

23 (iii) an estimated budget;

24 (iv) methods for measuring outcomes; and

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

26 (2) The office shall:

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

30 (ii) Give priority in grant funding under subsection (c) to

1 school entities with the greatest need to establish safety and  
2 order.

3 (iii) To the greatest extent possible, ensure that grant  
4 funding is geographically dispersed to school entities and  
5 municipalities throughout this Commonwealth.

6 (iv) For school entities, municipalities, local law  
7 enforcement agencies and nonpublic schools that apply for  
8 funding for the training and compensation of school resource  
9 officers and school police officers under subsection (c.1), give  
10 priority to school entities, municipalities, local law  
11 enforcement agencies and nonpublic schools that utilize school  
12 resource officers or school police officers who have completed  
13 additional training recommended by the Department of Education  
14 relating to interaction with all children and adolescents within  
15 a school setting.

16 (v) For school entities or nonpublic schools that apply for  
17 funding for school police officers under subsection (c.1), give  
18 priority to school entities and nonpublic schools that utilize  
19 school police officers who satisfy all of the following:

20 (A) Are retired Federal agents or retired State, municipal  
21 or military police officers.

22 (B) Are independent contractors of the school entity or  
23 nonpublic school.

24 (C) Are compensated on an hourly basis and receive no other  
25 compensation or fringe benefits from the school entity or  
26 nonpublic school.

27 (D) Have completed such annual training as shall be required  
28 by the Municipal Police Officers' Education and Training  
29 Commission pursuant to 53 Pa.C.S. Ch. 21 Subch. D (relating to  
30 municipal police education and training).

1 (E) Are in satisfaction of the requirements of section 111.

2 (F) In the case of a school entity, have been indemnified by  
3 the school entity pursuant to 42 Pa.C.S. § 8548 (relating to  
4 indemnity).

5 (G) Are utilized by a school entity or nonpublic school that  
6 has not employed a school police officer within the three years  
7 immediately preceding the effective date of this clause.

8 Nothing in this clause shall be construed to impact on grant  
9 decisions for school entities, municipalities or local law  
10 enforcement agencies that apply for funding for hiring of school  
11 resource officers pursuant to subsection (c.1).

12 (3) The office shall provide all targeted grant agreements  
13 to the Department of Education's comptroller for review and  
14 approval prior to awarding the grant. The school entity,  
15 municipality, local law enforcement agency or approved vendor  
16 shall provide the office with full and complete access to all  
17 records relating to the performance of the grant, and shall  
18 submit, at such time and in such form as may be prescribed,  
19 truthful and accurate information that the office may require.  
20 The office shall conduct a thorough annual evaluation of each  
21 program for which a grant under this section is made. The office  
22 shall seek repayment of funds if it determines that funds were  
23 not utilized for the original stated purpose.

24 (e) For any fiscal year prior to 2019-2020, the sum  
25 appropriated annually to the Department of Education for the  
26 purpose of making targeted grants under this section shall be  
27 allocated as follows:

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

30 (2) Seventy-five percent of the sum shall be allocated for

1 grants under subsection (c.1).

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

5 (e.2) Beginning in fiscal year 2019-2020, grants awarded  
6 under subsection (c.1) shall not exceed the amount awarded in  
7 fiscal year 2018-2019 under that subsection and no less than  
8 \$3,200,000 shall be awarded to intermediate units on behalf of  
9 nonpublic schools under subsection (c).

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

12 Section 12. Sections 1302.1-A and 1303-A of the act are  
13 repealed:

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

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

29 (2) Protocol for the notification of the police department  
30 when an offense listed under section 1303-A(b) (4.1) occurs on

1 school property, which shall include a requirement that the  
2 local police department be notified immediately when such an  
3 offense occurs.

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

8 (4) Protocol for emergency and nonemergency response by the  
9 police department, which shall include a requirement that the  
10 school district shall supply the police department with a copy  
11 of the comprehensive disaster response and emergency  
12 preparedness plan as required by 35 Pa.C.S. § 7701(g) (relating  
13 to duties concerning disaster prevention).

14 (5) Procedures and protocols for the response and handling  
15 of students with a disability, including procedures related to  
16 student behavior as required by 22 Pa. Code §§ 14.104 (relating  
17 to special education plans) and 14.133 (relating to positive  
18 behavior support).

19 (b) (1) In promulgating the regulations required under  
20 subsection (a), the State Board of Education shall convene and  
21 consult with a Statewide advisory committee which shall include  
22 a police chief, juvenile public defender, school superintendent,  
23 school principal, district attorney, solicitor of a school  
24 district, special education supervisor, special education  
25 advocate and in-school probation officer and one designee from  
26 the Department of Education, the Pennsylvania Commission on  
27 Crime and Delinquency, the Municipal Police Officers' Education  
28 and Training Commission, the Juvenile Court Judges' Commission  
29 and the Pennsylvania State Police.

30 (2) Members of the committee shall be selected to be



1 representative of the rural, suburban and urban school entities  
2 of this Commonwealth.

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

7 Section 1303-A. Reporting.--(a) The office shall conduct a  
8 one-time survey of all school entities to determine the number  
9 of incidents involving acts of violence on school property and  
10 all cases involving possession of a weapon by any person on  
11 school property which occurred within the last five (5) years.  
12 The survey shall be based on the best available information  
13 provided by school entities.

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

25 (1) Age or grade of student.

26 (2) Name and address of school.

27 (3) Circumstances surrounding the incident, including, but  
28 not limited to, type of weapon, controlled substance, alcohol or  
29 tobacco, the date, time and location of the incident, if a  
30 person other than a student is involved in the incident and any

1 relationship to the school entity.

2 (3.1) Race of student.

3 (3.2) Whether the student has an Individualized Education  
4 Plan under the Individuals with Disabilities Education Act  
5 (Public Law 91-230, 20 U.S.C. § 1400 et seq.), and if so, the  
6 type of disability.

7 (4) Sanction imposed by the school.

8 (4.1) A list of criminal offenses which shall, at a minimum,  
9 include:

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

12 Section 908 (relating to prohibited offensive weapons).

13 Section 912 (relating to possession of weapon on school  
14 property).

15 Chapter 25 (relating to criminal homicide).

16 Section 2702 (relating to aggravated assault).

17 Section 2709.1 (relating to stalking).

18 Section 2901 (relating to kidnapping).

19 Section 2902 (relating to unlawful restraint).

20 Section 3121 (relating to rape).

21 Section 3122.1 (relating to statutory sexual assault).

22 Section 3123 (relating to involuntary deviate sexual  
23 intercourse).

24 Section 3124.1 (relating to sexual assault).

25 Section 3124.2 (relating to institutional sexual assault).

26 Section 3125 (relating to aggravated indecent assault).

27 Section 3126 (relating to indecent assault).

28 Section 3301 (relating to arson and related offenses).

29 Section 3307 (relating to institutional vandalism) when the  
30 penalty is a felony of the third degree.

1 Section 3502 (relating to burglary).

2 Section 3503(a) and (b)(1)(v) (relating to criminal  
3 trespass).

4 Section 5501 (relating to riot).

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

6 (ii) The possession, use or sale of a controlled substance  
7 or drug paraphernalia as defined in "The Controlled Substance,  
8 Drug, Device and Cosmetic Act."

9 (iii) Attempts, solicitation or conspiracy to commit any of  
10 the offenses listed in subclauses (i) and (ii).

11 (iv) An offense for which registration is required under 42  
12 Pa.C.S. § 9795.1 (relating to registration).

13 (4.2) The following offenses under 18 Pa.C.S., and any  
14 attempt, solicitation or conspiracy to commit any of these  
15 offenses:

16 Section 2701 (relating to simple assault).

17 Section 2705 (relating to recklessly endangering another  
18 person).

19 Section 2706 (relating to terroristic threats).

20 Section 2709 (relating to harassment).

21 Section 3127 (relating to indecent exposure).

22 Section 3307 (relating to institutional vandalism) when the  
23 penalty is a misdemeanor of the second degree.

24 Section 3503(b)(1)(i), (ii), (iii) and (iv), (b.1) and (b.2)  
25 (relating to criminal trespass).

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

27 Section 5502 (relating to failure of disorderly persons to  
28 disperse upon official order).

29 Section 5503 (relating to disorderly conduct).

30 Section 6305 (relating to sale of tobacco).

1 Section 6306.1 (relating to use of tobacco in schools  
2 prohibited).

3 Section 6308 (relating to purchase, consumption, possession  
4 or transportation of liquor or malt or brewed beverages).

5 (5) Notification of law enforcement.

6 (6) Remedial programs involved.

7 (7) Parental involvement required.

8 (8) Arrests, convictions and adjudications, if known.

9 (b.1) Prior to submitting the report required under  
10 subsection (b), each chief school administrator and each police  
11 department having jurisdiction over school property of the  
12 school entity shall do all of the following:

13 (1) No later than thirty (30) days prior to the deadline for  
14 submitting the report to the office required under subsection  
15 (b), the chief school administrator shall submit the report to  
16 the police department with jurisdiction over the relevant school  
17 property. The police department shall review the report and  
18 compare the data regarding criminal offenses and notification of  
19 law enforcement to determine whether the report accurately  
20 reflects police incident data.

21 (2) No later than fifteen (15) days prior to the deadline  
22 for the chief school administrator to submit the report required  
23 under subsection (b), the police department shall notify the  
24 chief school administrator, in writing, whether the report  
25 accurately reflects police incident data. Where the police  
26 department determines that the report accurately reflects police  
27 incident data, the chief of police shall sign the report. Where  
28 the police department determines that the report does not  
29 accurately reflect police incident data, the police department  
30 shall indicate any discrepancies between the report and police

1 incident data.

2 (3) Prior to submitting the report required under subsection  
3 (b), the chief school administrator and the police department  
4 shall attempt to resolve discrepancies between the report and  
5 police incident data. Where a discrepancy remains unresolved,  
6 the police department shall notify the chief school  
7 administrator and the office in writing.

8 (4) Where a police department fails to take action as  
9 required under paragraph (2) or (3), the chief school  
10 administrator shall submit the report required under subsection  
11 (b) and indicate that the police department failed to take  
12 action as required under paragraph (2) or (3).

13 (c) Each chief school administrator shall form an advisory  
14 committee composed of relevant school staff, including, but not  
15 limited to, principals, security personnel, school resource  
16 officers, guidance counselors and special education  
17 administrators, to assist in the development of a memorandum of  
18 understanding pursuant to this section. In consultation with the  
19 advisory committee, each chief school administrator shall enter  
20 into a memorandum of understanding with police departments  
21 having jurisdiction over school property of the school entity.  
22 Each chief school administrator shall submit a copy of the  
23 memorandum of understanding to the office by June 30, 2011, and  
24 biennially update and re-execute a memorandum of understanding  
25 with local law enforcement and file such memorandum with the  
26 office on a biennial basis. The memorandum of understanding  
27 shall be signed by the chief school administrator, the chief of  
28 police of the police department with jurisdiction over the  
29 relevant school property and principals of each school building  
30 of the school entity. The memorandum of understanding shall

1 comply with the regulations promulgated by the State Board of  
2 Education under section 1302.1-A and shall also include:

3 (1) The procedure for police department review of the annual  
4 report required under subsection (b) prior to the chief school  
5 administrator filing the report required under subsection (b)  
6 with the office.

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

10 (3) Additional matters pertaining to crime prevention agreed  
11 to between the chief school administrator and the police  
12 department.

13 (d) Pursuant to section 615 of the Individuals with  
14 Disabilities Education Act (Public Law 91-230, 20 U.S.C. §  
15 1415(k)(6)), nothing in section 1302.1-A or this section shall  
16 be construed to prohibit a school entity from reporting a crime  
17 committed by a child with a disability to appropriate  
18 authorities or to prevent State law enforcement and judicial  
19 authorities from exercising their responsibilities with regard  
20 to the application of Federal and State law to crimes committed  
21 by a child with a disability.

22 (e) (1) Notwithstanding any provision of law to the  
23 contrary, the Department of Education may initiate disciplinary  
24 action before the Professional Standards and Practices  
25 Commission pursuant to the act of December 12, 1973 (P.L.397,  
26 No.141), known as the "Professional Educator Discipline Act,"  
27 against a chief school administrator or principal of a school  
28 entity who intentionally fails to submit the report as required  
29 under subsection (b) or enter into the memorandum of  
30 understanding with the police department with jurisdiction over

1 the relevant school property, report an incident involving an  
2 act of violence, possession of a weapon or an offense listed  
3 under subsection (b) (4.1) that occurs on school property to a  
4 police department or submit a copy of the memorandum of  
5 understanding to the office as required under subsection (c) or  
6 who intentionally falsifies a report submitted as required under  
7 this section.

8 (2) In addition to any other disciplinary actions set forth  
9 in the "Professional Educator Discipline Act," a chief school  
10 administrator or principal of a school entity who intentionally  
11 fails to submit the report as required under subsection (b) or  
12 enter into the memorandum of understanding with the police  
13 department with jurisdiction over the relevant school property,  
14 report an incident involving an act of violence, possession of a  
15 weapon or an offense cited under subsection (b) (4.1) that occurs  
16 on school property to a police department or submit a copy of  
17 the memorandum of understanding to the office as required under  
18 subsection (c) or who intentionally falsifies a report submitted  
19 as required under this section shall be subject to prosecution  
20 for violation of 18 Pa.C.S. § 4904 (relating to unsworn  
21 falsification to authorities). The following civil penalties may  
22 be imposed by the Professional Standards and Practices  
23 Commission for violations of this article:

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

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

29 Section 13. Sections 1303.1-A(c) and (d) and 1307-A of the  
30 act are amended to read:

1 Section 1303.1-A. Policy Relating to Bullying.--\* \* \*

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

10 (d) In its policy relating to bullying adopted or maintained  
11 under subsection (a), a school entity shall not be prohibited  
12 from defining bullying in such a way as to encompass acts that  
13 occur outside a school setting if those acts meet the  
14 requirements contained in subsection (e) (1), (3) and (4). If a  
15 school entity reports acts of bullying to the [office]  
16 Department of Education in accordance with section [1303-A(b)]  
17 1319-B(b), it shall report all incidents that qualify as  
18 bullying under the entity's adopted definition of that term.

19 \* \* \*

20 Section 1307-A. Maintenance of Records.--All school entities  
21 and private schools within this Commonwealth shall maintain  
22 updated records of all incidents of violence, incidents  
23 involving possession of a weapon and convictions or  
24 adjudications of delinquency for acts committed on school  
25 property by students enrolled therein on both a district-wide  
26 and school-by-school basis. Records maintained under this  
27 section shall be contained in a format developed by the  
28 Pennsylvania State Police in cooperation with the [office within  
29 ninety (90) days of the effective date of this section]  
30 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 14. 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

1 times when school is in session, of all written or verbal  
2 contacts by school district personnel with the appropriate  
3 police department consistent with the requirements of the  
4 memorandum of understanding.

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

7 (3) To receive inquiries from school staff and parents or  
8 guardians of students who are victims of acts of violence on  
9 school property.

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

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

23 (6) To review and analyze Federal and State statutes which  
24 may be an impediment to school safety and the imposition of  
25 discipline for the commission of acts of violence on school  
26 property and to prepare, by April 30, 2001, and as necessary  
27 from time to time thereafter, reports making recommendations for  
28 changes to the statutes which would promote school safety and  
29 facilitate effective and expedient disciplinary action. The  
30 reports shall be submitted to the secretary and the Executive

1 Director of the Pennsylvania Commission on Crime and  
2 Delinquency.

3 (7) To review and analyze court decisions applicable to the  
4 school district's disciplinary process and procedures, to make  
5 recommendations to the school district regarding any negative  
6 impact these decisions have upon the effective maintenance of  
7 school safety and to make recommendations relating to the  
8 existing provisions of consent decrees.

9 (8) To prepare an annual report regarding the activities of  
10 the advocate during the prior fiscal year and any  
11 recommendations for remedial legislation, regulations or school  
12 district administrative reforms, which shall be submitted to the  
13 school district superintendent, the secretary, the Executive  
14 Director of the Pennsylvania Commission on Crime and  
15 Delinquency, the chairperson of the Education Committee of the  
16 Senate and the chairperson of the Education Committee of the  
17 House of Representatives by August 15 of each year.

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

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

26 (1) provide assistance and advice, including information on  
27 support services provided by victim assistance offices of the  
28 appropriate district attorney and through local community-based  
29 victim service agencies;

30 (2) provide information to the parent or guardian of the

1 student victim regarding the disciplinary process and any action  
2 ultimately taken against the student accused of committing the  
3 act of violence;

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

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

10 (5) with the consent of the parent or guardian of the  
11 victim, present information in the disciplinary proceeding,  
12 which may include oral or written presentations, including  
13 testimony by the victim or the parent or guardian of the victim,  
14 regarding the impact on the victim and the victim's family and  
15 the appropriate disciplinary action and which may include direct  
16 or cross-examination of witnesses;

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

23 (7) in cases where the district has failed to report the act  
24 of violence to the appropriate police department as required by  
25 the memorandum of understanding, to report such act of violence  
26 directly; and

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

30 (d) Upon discovery of the commission of an act of violence

1 upon a student, the school district of the first class shall  
2 immediately notify the victim's parent or guardian of the safe  
3 schools advocate. The form of this notice shall be developed by  
4 the advocate and provided to the school district. This form  
5 shall include the address and telephone number of the advocate  
6 and a brief description of the purposes and functions of the  
7 safe schools advocate. The principal of each school within the  
8 school district shall post a notice not less than 8 1/2 by 11  
9 inches entitled "Safe Schools Advocate" at a prominent location  
10 within each school building, where such notices are usually  
11 posted. The form of this notice shall also be developed by the  
12 advocate and provided to the school district.

13 (e) It shall be the duty of each school administrator in a  
14 school district of the first class to cooperate with the safe  
15 schools advocate to implement this section and to provide the  
16 advocate, upon request, with all available information  
17 authorized by State law. In regard to individual cases of acts  
18 of violence, only information permitted to be shared under  
19 subsection (f) shall be disclosed.

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

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

29 (h) As used in this section:

30 "Act of violence" shall mean the possession of a weapon on

1 school property or an offense, including the attempt,  
2 solicitation or conspiracy to commit the offense, under any of  
3 the following provisions of 18 Pa.C.S. (relating to crimes and  
4 offenses):

5 (1) Section 2501 (relating to criminal homicide).

6 (2) Section 2702 (relating to aggravated assault).

7 (3) Section 3121 (relating to rape).

8 (4) Section 3122.1 (relating to statutory sexual assault).

9 (5) Section 3123 (relating to involuntary deviate sexual  
10 intercourse).

11 (6) Section 3124.1 (relating to sexual assault).

12 (7) Section 3125 (relating to aggravated indecent assault).

13 (8) Section 3126 (relating to indecent assault).

14 (9) Section 3301 (relating to arson and related offenses).

15 (10) Section 3701 (relating to robbery).

16 (11) Section 3702 (relating to robbery of motor vehicle).

17 "School district" shall mean school district of the first  
18 class.

19 (i) At least eighty per centum (80%) of all appropriations  
20 for the Office of Safe Schools Advocate in fiscal year 2006-2007  
21 shall be expended by June 30, 2007, and the remaining balance of  
22 the appropriation shall be committed or encumbered by June 30,  
23 2007.

24 Section 1311-A. Standing.--(a) If a student in a school  
25 district of the first class is a victim of an act of violence  
26 involving a weapon on school property and the student who  
27 possessed the weapon was not expelled under section 1317.2, the  
28 parent or guardian of the victim shall have standing to  
29 institute a legal proceeding to obtain expulsion of the student.

30 (b) The Office of General Counsel shall have standing to

1 bring an action on behalf of a victim or the parent or guardian  
2 of a victim of an act of violence in a school in a school  
3 district of the first class to modify, clarify or eliminate a  
4 consent decree that is related to discipline in the district if,  
5 in consultation with the advocate, the Office of General Counsel  
6 believes that the action is in the best interests of the  
7 students of the school district.

8 (c) (1) The Executive Director of the Pennsylvania  
9 Commission on Crime and Delinquency in consultation with the  
10 General Counsel may designate a portion of the funds provided  
11 for the safe schools advocate:

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

15 (ii) To challenge a consent decree under subsection (b) or  
16 to bring an action under sections 1310-A(c) (5) and 1312-A(a).

17 (2) The designation of attorneys to receive funds under this  
18 subsection shall be within the discretion of the Office of  
19 General Counsel after consultation with the safe schools  
20 advocate.

21 (3) Designated funds which are not expended under this  
22 subsection shall lapse to the General Fund.

23 (d) Legal proceedings under this section shall be conducted  
24 by an attorney designated by the Office of General Counsel in  
25 consultation with the safe schools advocate. The attorney must  
26 be a member of the bar in good standing.

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

30 Section 1312-A. Enforcement.--(a) (1) If the school

1 district of the first class fails to comply with requirements to  
2 provide information to the safe schools advocate under section  
3 1310-A, the advocate shall provide documentation of the failure  
4 to the Secretary of Education and the Pennsylvania Commission on  
5 Crime and Delinquency.

6 (2) If the secretary determines that there is  
7 noncompliance, the secretary shall notify the advocate and the  
8 Office of General Counsel. The Office of General Counsel, in  
9 consultation with the safe schools advocate, shall designate an  
10 attorney to bring an action in a court of competent jurisdiction  
11 to enforce section 1310-A.

12 (3) If the secretary determines that the school district of  
13 the first class has complied with the requirements to provide  
14 information to the safe schools advocate under section 1310-A,  
15 the secretary shall convene a public hearing at which the safe  
16 schools advocate shall be permitted to testify regarding the  
17 alleged noncompliance.

18 (b) Legal proceedings under subsection (a) shall be  
19 conducted by an attorney designated by the Office of General  
20 Counsel in consultation with the safe schools advocate. The  
21 attorney must be a member of the bar in good standing.

22 Section 1313-A. Construction of Article and Other Laws.--  
23 Nothing in this article or any other provision of law shall be  
24 construed as granting a right of status for or participation by  
25 the safe schools advocate in a grievance or arbitration  
26 proceeding arising out of a collective bargaining agreement.]

27 Section 15. Section 1301-B of the act is amended by adding  
28 definitions to read:

29 Section 1301-B. Definitions.

30 The following words and phrases when used in this article



1 shall have the meaning given to them in this section unless the  
2 context clearly indicates otherwise:

3 "Chief school administrator." The superintendent of a public  
4 school district, superintendent of an area career and technical  
5 school, executive director of an intermediate unit or chief  
6 executive officer of a charter school.

7 \* \* \*

8 "Department." The Department of Education of the  
9 Commonwealth.

10 \* \* \*

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

12 \* \* \*

13 "Student with a disability." A student who meets the  
14 definition of "child with a disability" under 20 U.S.C. Ch. 33  
15 (relating to education of individuals with disabilities) or who  
16 meets the definition of a "handicapped person" under 29 U.S.C. §  
17 794 (relating to nondiscrimination under Federal grants and  
18 programs) and its implementing regulations (34 CFR 104.3(j)).  
19 The term includes a student for whom an evaluation is pending  
20 under either 20 U.S.C. Ch. 33 or 29 U.S.C. Ch. 16 (relating to  
21 vocational rehabilitation and other rehabilitative services).

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

26 Section 16. Section 1302-B(e) of the act, amended July 8,  
27 2022 (P.L.620, No.55), is amended, subsection (b)(12) is amended  
28 by adding a subparagraph and the section is amended by adding a  
29 subsection to read:

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

1 \* \* \*

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

4 \* \* \*

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

6 \* \* \*

7 (xi) The Homeland Security Director of the Office of  
8 Homeland Security under 4 Pa. Code Ch. 6 Subch. LL  
9 (relating to Office of Homeland Security), who shall be a  
10 nonvoting member.

11 \* \* \*

12 (e) Term.--Members appointed under subsection (b) (5), (6),  
13 (7), (8), (11) and (12) shall serve for a four-year term and may  
14 be appointed for no more than one additional consecutive term.  
15 The terms of those members who serve by virtue of the public  
16 office they hold shall be concurrent with their service in the  
17 office from which they derive their membership.

18 \* \* \*

19 (j) Executive committee.--

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

24 (i) data on issues and incidents reported through  
25 the Safe2Say Program;

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

28 (iii) identification, prevention and mitigation of  
29 potential threats of targeted violence in educational  
30 settings;

1           (iv) utilization of best practices among school  
2           entities related to threat assessment, bystander  
3           intervention and reporting, crisis intervention and  
4           emergency preparedness and response; and

5           (v) other incidents and issues impacting school  
6           safety in this Commonwealth.

7           (2) The executive committee shall provide guidance and  
8           recommendations for consideration by the committee. Any  
9           action relating to guidance or recommendations provided by  
10           the executive committee to the committee shall require a vote  
11           of a majority of the members of the committee. Any decision  
12           relating to awarding of a grant under this article shall  
13           remain the sole and exclusive responsibility of the  
14           committee.

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

18           (4) (i) Except as provided under subparagraph (ii), a  
19           meeting of the executive committee shall not be subject  
20           to the requirements of 65 Pa.C.S. Ch. 7 (relating to open  
21           meetings).

22           (ii) Public notice of a meeting of the executive  
23           committee shall be provided as required under 65 Pa.C.S.  
24           § 709(a) (relating to public notice). The public notice  
25           under this subparagraph shall include an agenda the  
26           executive committee is going to discuss.

27           (iii) At the next scheduled meeting of the  
28           committee, the chair of the executive committee shall  
29           provide a summary of any meeting of the executive  
30           committee that occurred since the last meeting of the

1 committee.

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

4 (6) The executive committee may add other members of the  
5 committee as necessary.

6 Section 17. The act is amended by adding a section to read:  
7 Section 1302.1-B. Duties of committee.

8 The committee shall advance practices to improve the safety  
9 and security of school entities within this Commonwealth,  
10 including developing policies and providing resources, training,  
11 guidance and assistance to schools and their partners. In  
12 addition to other duties given to the committee under this  
13 article, the committee shall have the following powers and  
14 duties:

15 (1) To establish, periodically review and, if necessary,  
16 update baseline criteria for physical security and behavioral  
17 health in coordination with the department for school  
18 entities in this Commonwealth.

19 (2) To coordinate antiviolence and school safety efforts  
20 between school, professional, parental, governmental, law  
21 enforcement and community organizations and associations.

22 (3) To collect, develop and disseminate information,  
23 policies, strategies and other information to assist in the  
24 development of programs to impact school and community  
25 violence and other school-safety-related issues.

26 (4) To provide training to school employees, school  
27 safety and security coordinators and communities on effective  
28 measures to prevent and combat school and community violence  
29 as well as school safety and security training under section  
30 1310-B and coordinator training under section 1316-B.

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

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

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

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

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

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

28           (11) To request data related to school safety and  
29 security collected by the department to fulfill the duties of  
30 the committee. The department shall provide requested data no

1 later than 10 days after the request is made.

2 Section 18. Section 1306-B(i)(1), (j)(4) and (12), (k) and  
3 (l) of the act, amended July 8, 2022 (P.L.620, No.55), are  
4 amended, subsection (h) is amended by adding paragraphs and the  
5 section is amended by adding a subsection to read:

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

7 \* \* \*

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

9 \* \* \*

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

14 (11) For fiscal year 2024-2025 and each fiscal year  
15 thereafter, the committee shall commit funds relating to  
16 school safety and security and school mental health to school  
17 entities that receive a grant award under this section no  
18 later than December 31 of each calendar year in which funds  
19 are available.

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

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

26 (ii) Five percent shall be transferred to the  
27 department for training of school based mental health  
28 professionals and to establish pathways to certification  
29 for school based mental health professionals.

30 (iii) Five percent shall be transferred to the

1 Pennsylvania Higher Education Assistance Agency for the  
2 program under section 1318-B.

3 (i) Community violence prevention programs.--

4 (1) [Municipalities] Notwithstanding subsection (h) (7),  
5 the committee shall use money appropriated to the commission  
6 for violence intervention and prevention for grants and  
7 technical assistance to municipalities, district attorneys,  
8 institutions of higher education, community-based  
9 organizations and other entities approved by the committee  
10 [are the only eligible applicants] for programs under  
11 subsection (j) (22).

12 \* \* \*

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

16 \* \* \*

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

21 \* \* \*

22 (12) Security planning and purchase of security-related  
23 technology, which may include metal detectors, protective  
24 lighting, specialty trained canines, surveillance equipment,  
25 special emergency communications equipment, automated  
26 external defibrillators, electronic locksets, deadbolts,  
27 trauma kits and theft control devices and training in the use  
28 of security-related technology. [Security planning and  
29 purchase of security-related technology shall be based on  
30 safety needs identified by the school entity's board of

1 school directors.]

2 \* \* \*

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

7 (l) Audits.--

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

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

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

18 Section 19. The act is amended by adding sections to read:  
19 Section 1306.1-B. Targeted School Safety Grants for Nonpublic  
20 Schools and School Entities Program.

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

25 (b) Continuation.--The targeted grants issued in fiscal year  
26 2022-2023 and in any previous fiscal year to school entities and  
27 to intermediate units on behalf of nonpublic schools through the  
28 department under Article XIII-A shall continue to be  
29 administered by the department. Targeted grants for fiscal year  
30 2023-2024 and each year thereafter shall be awarded and



1 administered by the committee.

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

5 (d) Diversity.--The committee shall ensure that grant  
6 funding under the program is geographically dispersed throughout  
7 this Commonwealth.

8 (e) Supplement and not supplant.--

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

12 (2) Nothing in this section shall be construed to  
13 preclude a nonpublic school entity from making an application  
14 in a subsequent year for the same purpose and amount awarded  
15 in a prior year.

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

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

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

30 (i) (Reserved).

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

9 (k) Other grant recipients.--

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

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

28 (3) A nonpublic school may apply to the committee for  
29 grant funding under paragraph (1) to be used for the costs  
30 associated with obtaining the services of school security

1 personnel from a list of approved vendors certified by the  
2 committee. A grant award for this purpose shall be awarded  
3 and paid directly to the approved vendor with which the  
4 nonpublic school contracts for services. A nonpublic school  
5 may not apply for grant funding under this subsection for any  
6 purpose other than obtaining the services of school security  
7 personnel under this paragraph.

8 (1) Other duties.--The committee shall have the following  
9 duties as to targeted grants:

10 (1) Targeted grants shall be allocated through a  
11 competitive grant review process established by the  
12 committee. A school entity must satisfy the requirements of  
13 this section. The application for a targeted grant shall  
14 include:

15 (i) the purpose for which the targeted grant will be  
16 utilized;

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

20 (iii) an estimated budget;

21 (iv) methods for measuring outcomes; and

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

23 (2) The committee shall:

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

28 (ii) Give priority in grant funding under subsection  
29 (j) to school entities with the greatest need related to  
30 safety and order.

1           (iii) For municipalities, local law enforcement  
2 agencies and nonpublic schools that apply for funding for  
3 the training and compensation of school security  
4 personnel under subsection (j) or (k), give priority to  
5 municipalities, local law enforcement agencies and  
6 nonpublic schools that utilize school security personnel  
7 who have completed the training and qualifications  
8 required under Article XIII-C.

9           (iv) For school entities or nonpublic schools that  
10 apply for funding for school police officers under  
11 subsection (j) or (k), give priority to school entities  
12 and nonpublic schools that utilize school police officers  
13 who satisfy all of the following:

14           (A) Are retired Federal agents or retired State,  
15 municipal or military police officers.

16           (B) Are independent contractors of the school  
17 entity or nonpublic school.

18           (C) Are compensated on an hourly basis and  
19 receive no other compensation or fringe benefits from  
20 the school entity or nonpublic school.

21           (D) Have completed annual training as required  
22 by the Municipal Police Officers' Education and  
23 Training Commission under 53 Pa.C.S. Ch. 21 Subch. D  
24 (relating to municipal police education and  
25 training).

26           (E) The requirements of section 111.

27           (F) In the case of a school entity, have been  
28 indemnified by the school entity under 42 Pa.C.S. §  
29 8548 (relating to indemnity).

30           (G) Are utilized by a school entity or nonpublic

1 school that has not employed a school police officer  
2 within the three years immediately preceding the  
3 effective date of this section. Nothing in this  
4 section shall be construed to impact grant decisions  
5 for school entities, municipalities or law  
6 enforcement agencies that apply for funding for  
7 hiring of school resource officers under subsection  
8 (j) or (k).

9 (3) For fiscal year 2023-2024 and each fiscal year  
10 thereafter, the combined amount of grants awarded to  
11 intermediate units on behalf of nonpublic schools under  
12 subsection (j) and grants awarded for costs associated with a  
13 nonpublic school obtaining the services of school security  
14 personnel under subsection (k) shall be no less than  
15 \$14,551,000.

16 (m) Audits.--

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

20 (2) The Auditor General may not perform audits related  
21 to school safety and security assessments, survey instruments  
22 and grant applications.

23 (n) Procurement procedures.--An applicant shall be required  
24 to comply with all applicable State and local procurement  
25 requirements, policies and procedures when expending grant  
26 money.

27 (o) Transfer.--Within 90 days of the effective date of this  
28 section, from the amount appropriated to the Department of  
29 Education for the Safe Schools Initiative, the Department of  
30 Education shall transfer the sum of \$20,700,000 to the

1 commission for distribution by the committee in accordance with  
2 this section.

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

6 "Program." The Targeted School Safety Grants for Nonpublic  
7 Schools and School Entities Program reestablished in this  
8 section.

9 Section 1306.2-B. Standardized protocols.

10 (a) Continuation of regulations.--A regulation adopted under  
11 section 1302.1-A and in effect as of the effective date of this  
12 section shall be enforced by the committee in collaboration and  
13 coordination with the department and the State Board of  
14 Education and shall continue to have the same force and effect  
15 until modified or revised under this section.

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

22 (1) A model memorandum of understanding between school  
23 entities and law enforcement. The model memorandum of  
24 understanding shall be reviewed at least once every three  
25 years and revised where necessary. The committee may revise  
26 the model memorandum of understanding by transmitting a  
27 notice to the Legislative Reference Bureau for publication in  
28 the next available issue of the Pennsylvania Bulletin that  
29 contains the complete revised model memorandum of  
30 understanding. The revised model memorandum of understanding

1 shall be incorporated into the Pennsylvania Code and replace  
2 the existing model memorandum of understanding.

3 (2) A protocol for the notification of the law  
4 enforcement agency when an offense listed under section 1319-  
5 B(b) (7) occurs on school property. The protocol shall include  
6 a requirement that the school entity immediately notify the  
7 law enforcement agency when an offense occurs.

8 (3) A protocol for the notification of the law  
9 enforcement agency at the discretion of the chief school  
10 administrator regarding an offense listed under section 1319-  
11 B(b) (8) or other offense that occurs on school property.

12 (4) A protocol for emergency and nonemergency response  
13 by the law enforcement department. The protocol shall include  
14 a requirement that the school entity notify and supply the  
15 law enforcement agency with a copy of the comprehensive  
16 disaster response and emergency preparedness plan as required  
17 by 35 Pa.C.S. § 7701(g) (relating to duties concerning  
18 disaster prevention).

19 (5) Procedures and protocols if a student with a  
20 disability commits an incident listed under section 1319-B(b)  
21 (7) and (8), including procedures related to student behavior  
22 as required by 22 Pa. Code § 14.104 (relating to special  
23 education plans) and 14.133 (relating to positive behavior  
24 supports). Protocols may include, but need not be limited to,  
25 training in the use of positive behavior supports and de-  
26 escalation techniques for students with disabilities.

27 Section 1310.1-B. County safe schools' collaborative.

28 (a) Establishment.--A county, or multicounties acting  
29 jointly, may establish a safe schools' collaborative to  
30 distribute, promote and develop best practices applicable to

1 emergency response involving school safety and security through  
2 an emergency preparedness planning approach. The collaborative  
3 shall provide assistance to school entities, law enforcement and  
4 emergency responders and shall meet at least quarterly to  
5 develop safe and secure schools. The collaborative shall  
6 identify and promote strategies, practices that align with those  
7 identified by the committee and programs that support safe  
8 schools for all students and staff and recommend implementation  
9 as part of a countywide or multicounty safe schools' plan.

10 (b) Technical assistance.--The Pennsylvania Emergency  
11 Management Agency in collaboration with the Pennsylvania State  
12 Police and the Office of Homeland Security shall provide  
13 technical assistance to a county or several counties to  
14 establish a safe schools' collaborative under subsection (a) to  
15 provide school districts, emergency responders and all relevant  
16 school safety partners with quality information, resources,  
17 consultation and training services.

18 (c) Reports.--The Pennsylvania Emergency Management Agency  
19 in collaboration with the Pennsylvania State Police and the  
20 Office of Homeland Security shall report to the committee  
21 annually beginning September 1, 2024, and September 1 of each  
22 year thereafter, the number of counties that have requested  
23 technical assistance under subsection (b).

24 (d) Confidentiality of reports.--Reports to the committee  
25 under this section shall remain confidential and shall not be  
26 subject to inspection and duplication under the act of February  
27 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law.

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



1 Section 1315.1-B. School mental health grants for 2023-2024  
2 school year.

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

7 (b) Purpose of grants.--

8 (1) A school entity shall be eligible for school mental  
9 health grants to meet the level 1 baseline criteria for  
10 behavioral health and school climate criteria established by  
11 the committee.

12 (2) A school entity that has met the level 1 baseline  
13 criteria shall be eligible for school mental health grants  
14 for the purposes outlined in section 1306-B(j) (6), (10),  
15 (15), (17), (19), (20), (21), (23), (24), (25), (26), (27),  
16 (28), (29) and (30).

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

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

22 (2) An intermediate unit, area career and technical  
23 school, charter school, regional charter school or cyber  
24 charter school shall receive \$70,000.

25 (3) An amount determined as follows:

26 (i) Multiply the 2021-2022 adjusted average daily  
27 membership for each school district by the difference  
28 between the amount allocated in subsection (a) and the  
29 sum of the amounts distributed under paragraphs (1) and  
30 (2).

1           (ii) Divide the product from subparagraph (i) by the  
2           2021-2022 adjusted average daily membership for all  
3           school districts.

4           (d) Availability of applications.--The committee shall make  
5           an application for grants under this section available to school  
6           entities no later than 45 days after the effective date of this  
7           section. The application requirements shall be limited to the  
8           school entity's contact information, the specific purpose of the  
9           grant based upon the categories specified in subsection (b) with  
10           boxes on the application for the applicant to indicate the  
11           school entity's anticipated use and certification by the  
12           applicant that the funds will be used for the stated purpose.

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

16           (f) Audit and monitoring.--The committee shall randomly  
17           audit and monitor grant recipients to ensure the appropriate use  
18           of grant funds and compliance with provisions of the grant  
19           program.

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

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

26           Section 20. Section 1316-B(b) of the act, added July 8, 2022  
27 (P.L.620, No.55), is amended to read:

28 Section 1316-B. School safety and security coordinator  
29           training.

30           \* \* \*

1 (b) Required training.--

2 (1) The committee shall adopt the required training  
3 hours for the training developed under subsection (a). The  
4 committee may not require more than seven hours of training  
5 for the school safety and security coordinator annually. The  
6 training shall be in addition to other training requirements  
7 for school administrators.

8 (2) Employees required to undergo continuing  
9 professional education under section 1205.2 and 1205.5 shall  
10 receive credit toward their continuing professional education  
11 requirements.

12 \* \* \*

13 Section 21. The act is amended by adding sections to read:  
14 Section 1319-B. Reporting and memorandum of understanding.

15 (a) Data reporting and access.--In collaboration and  
16 coordination with the committee, the department shall collect  
17 information as required by this section. The committee may  
18 request information collected by the department under this  
19 section. The department shall provide the information requested  
20 no later than 10 days after the request date to the extent  
21 permitted by law.

22 (b) Reporting by chief school administrator.--A chief school  
23 administrator shall report to the department by July 31 of each  
24 year all new incidents involving acts of violence, possession of  
25 a weapon or possession, use or sale of controlled substances as  
26 defined in the act of April 14, 1972 (P.L.233, No.64), known as  
27 The Controlled Substance, Drug, Device and Cosmetic Act, or  
28 possession, use or sale of alcohol or tobacco by any person on  
29 school property. The report shall include all incidents  
30 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).

1           Section 3121 (relating to rape).

2           Section 3122.1 (relating to statutory sexual  
3 assault).

4           Section 3123 (relating to involuntary deviate sexual  
5 intercourse).

6           Section 3124.1 (relating to sexual assault).

7           Section 3124.2 (relating to institutional sexual  
8 assault).

9           Section 3125 (relating to aggravated indecent  
10 assault).

11           Section 3126 (relating to indecent assault).

12           Section 3301 (relating to arson and related  
13 offenses).

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

16           Section 3502 (relating to burglary).

17           Section 3503(a) and (b)(1)(v) (relating to criminal  
18 trespass).

19           Section 5501 (relating to riot).

20           Section 6110.1 (relating to possession of firearm by  
21 minor).

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

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

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

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

1 offenses:

2 Section 2701 (relating to simple assault).

3 Section 2705 (relating to recklessly endangering another  
4 person).

5 Section 2706 (relating to terroristic threats).

6 Section 2709 (relating to harassment).

7 Section 3127 (relating to indecent exposure).

8 Section 3307 when the offense is a misdemeanor of the  
9 second degree.

10 Section 3503(b)(1)(i), (ii), (iii) and (iv), (b.1) and  
11 (b.2).

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

13 Section 5502 (relating to failure of disorderly persons  
14 to disperse upon official order).

15 Section 5503 (relating to disorderly conduct).

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

17 Section 6306.1 (relating to use of tobacco products in  
18 schools prohibited).

19 Section 6308 (relating to purchase, consumption,  
20 possession or transportation of liquor or malt or brewed  
21 beverages).

22 (9) Notification of law enforcement.

23 (10) Remedial programs involved.

24 (11) Parental involvement required.

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

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

30 (1) No later than 30 days prior to the deadline for

1 submitting the report to the department required under  
2 subsection (b), the chief school administrator shall submit  
3 the report to the law enforcement agency with jurisdiction  
4 over the relevant school property. The law enforcement agency  
5 shall review the report and compare the data regarding  
6 criminal offenses and notification of law enforcement to  
7 determine whether the report accurately reflects law  
8 enforcement incident data.

9 (2) No later than 15 days prior to the deadline for the  
10 chief school administrator to submit the report required  
11 under subsection (b), the law enforcement agency shall notify  
12 the chief school administrator, in writing, whether the  
13 report accurately reflects law enforcement incident data.  
14 Where the law enforcement agency determines that the report  
15 accurately reflects law enforcement incident data, the chief  
16 of police shall sign the report. If the law enforcement  
17 agency determines that the report does not accurately reflect  
18 law enforcement incident data, the law enforcement agency  
19 shall indicate any discrepancy between the report and law  
20 enforcement incident data.

21 (3) Prior to submitting the report required under  
22 subsection (b), the chief school administrator and the law  
23 enforcement agency shall attempt to resolve any discrepancy  
24 between the report and law enforcement incident data. If a  
25 discrepancy remains unresolved, the law enforcement agency  
26 shall notify the chief school administrator and the  
27 department in writing.

28 (4) If a law enforcement agency fails to take action as  
29 required under paragraph (2) or (3), the chief school  
30 administrator shall submit the report required under

1 subsection (b) and indicate that the law enforcement agency  
2 failed to take action as required under paragraph (2) or (3),  
3 as applicable.

4 (d) Advisory committee.--A chief school administrator shall  
5 form an advisory committee composed of relevant school staff,  
6 including, but not limited to, principals, security personnel,  
7 school safety and security coordinator, emergency services  
8 personnel, school security personnel, guidance counselors and  
9 special education administrators to assist in the development of  
10 a memorandum of understanding under this section. In  
11 consultation with the advisory committee, the chief school  
12 administrator shall enter into a memorandum of understanding  
13 with law enforcement agencies having jurisdiction over school  
14 property of the school entity. The chief school administrator  
15 shall submit a copy of the memorandum of understanding to the  
16 department by June 30, 2024, and biennially update and re-  
17 execute a memorandum of understanding with law enforcement and  
18 file the memorandum with the department on a biennial basis. The  
19 memorandum of understanding shall be signed by the chief school  
20 administrator, the chief of police of the law enforcement agency  
21 with jurisdiction over the relevant school property and  
22 principals of each school building of the school entity. The  
23 memorandum of understanding shall comply with the regulations  
24 promulgated under section 1306.2-B and shall also include:

25 (1) A procedure for law enforcement agency review of the  
26 annual report required under subsection (b) prior to the  
27 chief school administrator filing the report with the  
28 department.

29 (2) A procedure for the resolution of a school violence  
30 data discrepancy in the report prior to filing the report



1 required with the department.

2 (3) Additional matters pertaining to crime prevention  
3 agreed to between the chief school administrator and the law  
4 enforcement agency.

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

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

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

20 (1) The committee shall review and make recommendations  
21 in a report to the General Assembly relating to the  
22 following:

23 (i) All required reporting under this section,  
24 including consideration of the criminal offenses under  
25 subsection (b)(7) and (8).

26 (ii) All required reporting under this article and  
27 Article XIII-C.

28 (2) The recommendations shall, at a minimum, include  
29 whether the appropriate amount of data is being collected  
30 and, if applicable, proposed elimination of any duplicative

1 reporting requirements.

2 (3) The committee shall transmit notice of the reports  
3 under subparagraphs (1) and (2) to the department and the  
4 General Assembly. The committee shall transmit notice of the  
5 reports to the Legislative Reference Bureau for publication  
6 in the next available issue of the Pennsylvania Bulletin.

7 Section 1320-B. Safe schools advocate in school districts of  
8 the first class.

9 (a) Establishment.--The Executive Director of the commission  
10 shall establish, within the commission, a safe schools advocate  
11 for each school district. The safe schools advocate shall not be  
12 subject to 71 Pa.C.S. Pt. III (relating to civil service  
13 reform). The advocate shall establish and maintain an office  
14 within the school district.

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

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

22 (2) For the purposes of victim advocacy and to assist in  
23 the annual monitoring process under paragraph (1), to have  
24 direct access to the school district's internal document  
25 supporting the information required to be reported under  
26 section 1319-B.

27 (3) To monitor the school district's compliance with the  
28 mandatory expulsion requirements of sections 1317.2 and  
29 1318.1.

30 (4) To receive inquiries from school staff and parents

1 or guardians of students who are victims of conduct that  
2 constitutes a criminal offense on school property or to or  
3 from school.

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

11 (6) To establish a program to assure extensive and  
12 continuing public awareness of information regarding the role  
13 of the advocate on behalf of victims of conduct that  
14 constitutes a criminal offense on school property or to or  
15 from school, which may include the mailing of information to  
16 the parents or guardians of students in the school district  
17 or other forms of communication.

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

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

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

5       (2) Provide information to the parent or guardian of a  
6 student victim regarding the disciplinary process and any  
7 action ultimately taken against the student accused of  
8 committing the conduct that constitutes a criminal offense.

9       (3) If the possession or use of a weapon is involved,  
10 advise the parent or guardian of the victim whether the  
11 school district properly exercised its duty under section  
12 1317.2.

13       (4) If the advocate has received a request by the parent  
14 or guardian of the victim, attend formal disciplinary  
15 proceedings.

16       (5) With the consent of the parent or guardian of the  
17 victim, participate and present information in the  
18 disciplinary proceeding, which may include:

19           (i) making oral or written presentations, including  
20 testimony by the victim or the parent or guardian of the  
21 victim, regarding the impact on the victim and the  
22 victim's family and the appropriate disciplinary action;  
23 and

24           (ii) conducting direct or cross-examination of  
25 witnesses.

26       (6) If the perpetrator of conduct that constitutes a  
27 criminal offense returns to school after placement under a  
28 consent decree, adjudication of delinquency or conviction of  
29 a criminal offense, assist the parent or guardian of the  
30 victim in providing input to the school district and the

1 appropriate juvenile or criminal justice authority to ensure  
2 the victim's safety on school property.

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

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

9 (d) Notification.--

10 (1) Upon discovery of the commission of conduct that  
11 constitutes a criminal offense upon a student, the school  
12 district shall immediately notify the safe schools advocate  
13 of the incident, including the details of the incident and  
14 all of the individuals involved, and immediately notify the  
15 victim, the victim's parent or legal guardian.

16 (2) The form of the notice to the victim or the victim's  
17 parent or legal guardian shall be developed by the advocate  
18 and provided to the school district and shall include the  
19 address and telephone number of the advocate and a brief  
20 description of the purposes and functions of the safe schools  
21 advocate.

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

27 (4) The form of the notice shall also be developed by  
28 the safe schools advocate and provided to the school  
29 district.

30 (e) Cooperation.--School administrators in a school district

1 shall cooperate with the safe schools advocate to implement this  
2 section and provide the advocate, upon request, with all  
3 available information authorized by State law.

4 (f) Applicable provisions.--The advocate and all employees  
5 and agents of the safe schools advocate shall be subject to and  
6 20 U.S.C. § 1232g (relating to family educational and privacy  
7 rights) and 34 CFR Pt. 99 (relating to family educational rights  
8 and privacy).

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

13 (h) Standing.--

14 (1) If a student in a school district is a victim of an  
15 act of violence involving a weapon on school district  
16 property and the student who possessed the weapon was not  
17 expelled under section 1317.2, the parent or guardian of the  
18 victim shall have standing to institute a legal proceeding to  
19 obtain expulsion of the student.

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

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

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

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

6           (4) The designation of attorneys to receive funds under  
7           this subsection shall be within the discretion of the Office  
8           of General Counsel after consultation with the safe schools  
9           advocate.

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

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

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

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

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

22          "Victim." An individual against whom a crime has been  
23          committed or attempted and who, as a direct result of the  
24          criminal act or attempt, suffers physical or mental injury,  
25          death or the loss of earnings as those terms are defined under  
26          section 103 of the act of November 24, 1998 (P.L.882, No.111),  
27          known as the Crime Victims Act. The term may include an  
28          individual exercising self-defense when assaulted.

29          Section 1321-B. Enforcement.

30          (a) Procedure.--

1       (1) If a school district of the first class fails to  
2 comply with the requirement to provide information to the  
3 safe schools advocate under section 1320-B, the advocate  
4 shall provide documentation of the failure to the Secretary  
5 of Education and the commission.

6       (2) If the Secretary of Education determines that there  
7 is noncompliance, the secretary shall direct the school  
8 district of the first class to take corrective action. If the  
9 school district of the first class fails to take corrective  
10 action within 60 days, the secretary shall notify the  
11 advocate and the Office of General Counsel. The Office of  
12 General Counsel, in consultation with the safe schools  
13 advocate, shall designate an attorney to bring an action in a  
14 court of competent jurisdiction to obtain compliance.

15       (3) If the Secretary of Education determines that the  
16 school district of the first class has complied with the  
17 requirements to provide information to the safe schools  
18 advocate, the secretary shall convene a public hearing at  
19 which the safe schools advocate shall be permitted to testify  
20 regarding the alleged noncompliance.

21       (4) Legal proceedings under this subsection shall be  
22 conducted by an attorney designated by the Office of General  
23 Counsel in consultation with the safe schools advocate. The  
24 attorney must be a member of the bar in good standing.

25       (b) Construction of article and other laws.--Nothing in this  
26 article or any other provision of law shall be construed as  
27 granting a right of status for or participation by the safe  
28 schools advocate in a grievance or arbitration proceeding  
29 arising out of a collective bargaining agreement.

30       Section 22. The definition of "third-party vendor" in



1 section 1301-C of the act is amended and the section is amended  
2 by adding a definition to read:

3 Section 1301-C. Definitions.

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

7 \* \* \*

8 "Committee." The School Safety and Security Committee  
9 established under section 1302-B.

10 \* \* \*

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

15 Section 23. Section 1302-C of the act is amended by adding a  
16 subsection to read:

17 Section 1302-C. School police officers.

18 \* \* \*

19 (c) Reporting.--

20 (1) A school entity or nonpublic school that has applied  
21 to the court to appoint a person or persons to act as school  
22 police officers under subsection (a) on or after the  
23 effective date of this subsection shall, within 30 days of  
24 approval of the appointment from the court, submit a copy of  
25 the court's order to the committee.

26 (2) A school entity or nonpublic school that has  
27 previously applied to the court to appoint a person or  
28 persons to act as school police officers prior to the  
29 effective date of this subsection shall, within 120 days of  
30 the effective date of this paragraph, submit a copy of the

1 court's order relating to the appointment of each school  
2 police officer to the committee.

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

5 Section 24. Sections 1303-C, 1314-C(b) (3) (i) (C) and 1502-  
6 E(b) of the act are amended to read:

7 Section 1303-C. Annual report.

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

14 (1) The identity of the school entity or nonpublic  
15 school and the number of school police officers employed or  
16 contracted by the school entity or nonpublic school.

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

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

21 Section 1314-C. School security guards.

22 \* \* \*

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

24 \* \* \*

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

30 (i) The governing body of a school entity or

1 nonpublic school may approve an extension of the deadline  
2 specified in this paragraph for armed school security  
3 guards to complete the required instruction due to a  
4 hardship in complying with the deadline. The deadline may  
5 be extended to no later than the beginning of the 2020-  
6 2021 school year. The following shall apply:

7 \* \* \*

8 (C) The school entity or nonpublic school shall  
9 submit the approved hardship extension to [the Office  
10 of Safe Schools within] the department not later than  
11 15 days from the date of approval. Any documentation  
12 submitted under this clause may not be subject to  
13 inspection and duplication under the act of February  
14 14, 2008 (P.L.6, No.3), known as the Right-to-Know  
15 Law.

16 \* \* \*

17 Section 1502-E. Character education program.

18 \* \* \*

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

21 (1) Trustworthiness, including honesty, integrity,  
22 reliability and loyalty.

23 (2) Respect, including regard for others, tolerance and  
24 courtesy.

25 (3) Responsibility, including hard work, economic self-  
26 reliance, accountability, diligence, perseverance and self-  
27 control.

28 (4) Fairness, including justice, consequences of [bad  
29 behavior] behaviors that impede the learning of self or  
30 others, principles of nondiscrimination and freedom from

1 prejudice.

2 (5) Caring, including kindness, empathy, compassion,  
3 consideration, generosity and charity.

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

7 \* \* \*

8 Section 25. Section 1913-A(b) (1.6) of the act is amended by  
9 adding a subparagraph to read:

10 Section 1913-A. Financial Program; Reimbursement of  
11 Payments.--\* \* \*

12 (b) \* \* \*

13 (1.6) For the 2006-2007 fiscal year and each fiscal year  
14 thereafter, the payment for a community college shall consist of  
15 the following:

16 \* \* \*

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

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

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

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

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

30 (II) Divide the product in subclause (I) by the sum of the

1 audited full-time equivalent enrollment as verified under  
2 subsection (k.1) for the most recent year available for all  
3 community colleges that receive funding under subparagraphs (A)  
4 and (B).

5 \* \* \*

6 ~~Section 25.1. The definitions of "educational improvement~~ <--  
7 ~~organization," "opportunity scholarship organization," "pre-~~  
8 ~~kindergarten scholarship organization" and "scholarship-~~  
9 ~~organization" in section 2002-B of the act are amended to read:~~  
10 ~~Section 2002-B. Definitions.~~

11 ~~The following words and phrases when used in this article~~  
12 ~~shall have the meanings given to them in this section unless the~~  
13 ~~context clearly indicates otherwise:~~

14 \* \* \*

15 ~~"Educational improvement organization." A nonprofit entity~~  
16 ~~which:~~

17 ~~(1) is exempt from Federal taxation under section 501(c)~~  
18 ~~(3) of the Internal Revenue Code of 1986 (Public Law 99-514,~~  
19 ~~26 U.S.C. § 1 et seq.); and~~

20 ~~(2) contributes at least [80%] 90% of its annual~~  
21 ~~receipts as grants to a public school, a chartered school as~~  
22 ~~defined in section 1376.1, or a private school approved under~~  
23 ~~section 1376, for innovative educational programs.~~

24 ~~For purposes of this definition, a nonprofit entity~~  
25 ~~"contributes" its annual cash receipts when it expends or~~  
26 ~~otherwise irrevocably encumbers those funds for expenditure~~  
27 ~~during the then current fiscal year of the nonprofit entity or~~  
28 ~~during the next succeeding fiscal year of the nonprofit entity.~~  
29 ~~A nonprofit entity shall include a school district foundation,~~  
30 ~~public school foundation, charter school foundation or cyber-~~

1 ~~charter school foundation.~~

2 ~~\* \* \*~~

3 ~~"Opportunity scholarship organization." A nonprofit entity~~  
4 ~~which:~~

5 ~~(1) Is exempt from Federal taxation under section 501(c)~~  
6 ~~(3) of the Internal Revenue Code of 1986 (Public Law 99 514,~~  
7 ~~26 U.S.C. § 1 et seq.); and~~

8 ~~(2) Contributes at least [80%] 90% of the entity's~~  
9 ~~annual cash receipts to an opportunity scholarship program.~~

10 ~~For the purposes of this definition, a nonprofit entity~~  
11 ~~contributes the entity's cash receipts to an opportunity~~  
12 ~~scholarship program when the entity expends or otherwise~~  
13 ~~irrevocably encumbers those funds for distribution during the~~  
14 ~~then current fiscal year of the nonprofit entity or during the~~  
15 ~~next succeeding fiscal year of the nonprofit entity.~~

16 ~~\* \* \*~~

17 ~~"Pre kindergarten scholarship organization." A nonprofit~~  
18 ~~entity which:~~

19 ~~(1) is exempt from Federal taxation under section 501(c)~~  
20 ~~(3) of the Internal Revenue Code of 1986 or is operated as a~~  
21 ~~separate segregated fund by a scholarship organization that~~  
22 ~~has been qualified under section 2003 B; and~~

23 ~~(2) contributes at least [80%] 90% of its annual cash~~  
24 ~~receipts to a pre kindergarten scholarship program by~~  
25 ~~expending or otherwise irrevocably encumbering those funds~~  
26 ~~for distribution during the then current fiscal year of the~~  
27 ~~organization or during the next succeeding fiscal year of the~~  
28 ~~organization.~~

29 ~~\* \* \*~~

30 ~~"Scholarship organization." A nonprofit entity which:~~

1           ~~(1) is exempt from Federal taxation under section 501(c)~~  
2           ~~(3) of the Internal Revenue Code of 1986; and~~  
3           ~~(2) contributes at least [80%] 90% of its annual cash~~  
4           ~~receipts to a scholarship program.~~

5 ~~For purposes of this definition, a nonprofit entity~~  
6 ~~"contributes" its annual cash receipts to a scholarship program~~  
7 ~~when it expends or otherwise irrevocably encumbers those funds~~  
8 ~~for distribution during the then current fiscal year of the~~  
9 ~~nonprofit entity or during the next succeeding fiscal year of~~  
10 ~~the nonprofit entity.~~

11           ~~\* \* \*~~

12           ~~Section 26. Section 2003 B(c) introductory paragraph, (1)~~  
13 ~~and (2) and (d.1) (2) introductory paragraph of the act, amended~~  
14 ~~July 8, 2022 (P.L.620, No.55), are amended and subsections (c),~~  
15 ~~(d) and (d.1) are amended by adding paragraphs to read:~~  
16 ~~Section 2003 B. Qualification and application by organizations.~~

17           ~~\* \* \*~~

18           ~~(c) Scholarship organizations and pre kindergarten~~  
19 ~~scholarship organizations. A scholarship organization or pre~~  
20 ~~kindergarten scholarship organization must certify to the~~  
21 ~~department that the organization is eligible to participate in~~  
22 ~~the educational improvement tax credit program established under~~  
23 ~~this article and must agree to annually report the following~~  
24 ~~information based on the immediately preceding fiscal year to~~  
25 ~~the department by November 1 of each year:~~

26           ~~(1) For each fiscal year through the 2024 2025 fiscal~~  
27           ~~year:~~

28           ~~(i) The number of scholarships awarded during the~~  
29 ~~immediately preceding school year to eligible pre~~  
30 ~~kindergarten students.~~

1           ~~(ii) The total and average amounts of the~~  
2           ~~scholarships awarded during the immediately preceding~~  
3           ~~school year to eligible pre kindergarten students.~~

4           ~~(iii) The number of scholarships awarded during the~~  
5           ~~immediately preceding school year to eligible students in~~  
6           ~~grades kindergarten through eight.~~

7           ~~(iv) The total and average amounts of the~~  
8           ~~scholarships awarded during the immediately preceding~~  
9           ~~school year to eligible students in grades kindergarten~~  
10           ~~through eight.~~

11           ~~(v) The number of scholarships awarded during the~~  
12           ~~immediately preceding school year to eligible students in~~  
13           ~~grades nine through 12.~~

14           ~~(vi) The total and average amounts of the~~  
15           ~~scholarships awarded during the immediately preceding~~  
16           ~~school year to eligible students in grades nine through~~  
17           ~~12.~~

18           ~~(vii) Where the scholarship organization or pre~~  
19           ~~kindergarten scholarship organization collects~~  
20           ~~information on a county by county basis, the total number~~  
21           ~~and the total amount of scholarships awarded during the~~  
22           ~~immediately preceding school year to residents of each~~  
23           ~~county in which the scholarship organization or pre~~  
24           ~~kindergarten scholarship organization awarded~~  
25           ~~scholarships.~~

26           ~~(viii) The total number of scholarship applications~~  
27           ~~processed and the amounts of any application fees~~  
28           ~~charged, either per scholarship application or in the~~  
29           ~~aggregate through a third party processor.~~

30           ~~(ix) The organization's Federal Form 990 or other~~



1 Federal form indicating the tax status of the  
2 organization for Federal tax purposes, if any, and a copy  
3 of a compilation, review or audit of the organization's  
4 financial statements conducted by a certified public  
5 accounting firm.

6 ~~(1.1) For the 2025 2026 fiscal year and each fiscal year~~  
7 ~~thereafter:~~

8 ~~(i) For each scholarship award given to an~~  
9 ~~applicant:~~

10 ~~(A) An indicator of whether the applicant was an~~  
11 ~~eligible student or an eligible student with a~~  
12 ~~disability.~~

13 ~~(B) An indicator of whether the applicant was in~~  
14 ~~grades kindergarten through eight or grades nine~~  
15 ~~through 12.~~

16 ~~(C) The dollar amount of the scholarship award.~~

17 ~~(D) For the year in which the scholarship award~~  
18 ~~was used:~~

19 ~~(I) The name of the applicant's school~~  
20 ~~district of residence.~~

21 ~~(II) The name of the school entity that the~~  
22 ~~applicant attended.~~

23 ~~(ii) The information provided under subparagraph (i)~~  
24 ~~shall not include personally identifiable information.~~

25 ~~(2) The information required under [paragraph (1)]~~  
26 ~~paragraphs (1) and (1.1) shall be submitted on a form~~  
27 ~~provided by the department. No later than September 1 of each~~  
28 ~~year, the department shall annually distribute such sample~~  
29 ~~forms, together with the forms on which the reports are~~  
30 ~~required to be made, to each listed scholarship organization~~

1 and pre-kindergarten scholarship organization.

2 ~~(2.1) Beginning with the annual report due November 1,~~  
3 ~~2026, the department shall annually post the information~~  
4 ~~required under paragraph (1.1) in a downloadable spreadsheet~~  
5 ~~on the department's publicly accessible Internet website.~~

6 \* \* \*

7 ~~(d) Educational improvement organization.~~

8 \* \* \*

9 ~~(2.1) The department shall annually post the information~~  
10 ~~required under paragraph (1) (i), (ii), (iii) and (iv) in a~~  
11 ~~downloadable spreadsheet on the department's publicly~~  
12 ~~accessible Internet website.~~

13 \* \* \*

14 ~~(d.1) Opportunity scholarship organizations.~~

15 \* \* \*

16 ~~(2) [An] For each fiscal year through the 2024-2025~~  
17 ~~fiscal year, an opportunity scholarship organization must~~  
18 ~~agree to report the following information on a form provided~~  
19 ~~by the department by November 1 of each year:~~

20 \* \* \*

21 ~~(2.1) For the 2025-2026 fiscal year and each fiscal year~~  
22 ~~thereafter, an opportunity scholarship organization must~~  
23 ~~agree to report the following information on a form provided~~  
24 ~~by the department by November 1 of each year:~~

25 ~~(i) For each scholarship award given to an~~  
26 ~~applicant:~~

27 ~~(A) An indicator of whether the applicant was an~~  
28 ~~eligible student or an eligible student with a~~  
29 ~~disability.~~

30 ~~(B) An indicator of whether the applicant was in~~

~~grades kindergarten through eight or grades nine through 12.~~

~~(C) The dollar amount of the scholarship award.~~

~~(D) For the year in which the scholarship award was used:~~

~~(I) The name of the applicant's school district of residence.~~

~~(II) The name of the school entity that the applicant attended.~~

~~(ii) The information provided under subparagraph (i) may not include personally identifiable information.~~

~~\* \* \*~~

~~(3.1) Beginning with the annual report due November 1, 2026, the department shall annually post the information required under paragraph (2.1) in a downloadable spreadsheet on the department's publicly accessible Internet website.~~

~~\* \* \*~~

~~Section 27. Section 2006 B(a) of the act, amended July 8, 2022 (P.L.620, No.55), is amended to read:~~

~~Section 2006 B. Limitations.~~

~~(a) Amount.~~

~~(1) The total aggregate amount of all tax credits approved for contributions from business firms to scholarship organizations, educational improvement organizations and pre-kindergarten scholarship organizations shall not exceed ~~[\$340,000,000]~~ \$470,000,000 in a fiscal year. The following shall apply:~~

~~(i) No less than ~~[\$263,000,000]~~ \$325,000,000 of the total aggregate amount shall be used to provide tax credits for contributions from business firms to~~

1 ~~scholarship organizations.~~

2 ~~(ii) No less than [\$44,500,000] \$54,500,000 of the~~  
3 ~~total aggregate amount shall be used to provide tax~~  
4 ~~credits for contributions from business firms to~~  
5 ~~educational improvement organizations.~~

6 ~~(iii) The total aggregate amount of all tax credits~~  
7 ~~approved for contributions from business firms to pre~~  
8 ~~kindergarten scholarship organizations shall not exceed~~  
9 ~~[\$20,500,000] \$30,500,000 in a fiscal year.~~

10 ~~(iv) No less than [\$12,000,000] \$60,000,000 of the~~  
11 ~~total aggregate amount shall be used to provide tax~~  
12 ~~credits for contributions from business firms to increase~~  
13 ~~the scholarship or pre kindergarten scholarship by up to~~  
14 ~~\$2,000 or, in the case of a scholarship for a student~~  
15 ~~attending a secondary school, by up to \$4,000, for a~~  
16 ~~student attending an economically disadvantaged school,~~  
17 ~~to the extent that the total amount of scholarships, pre~~  
18 ~~kindergarten scholarships and opportunity scholarships~~  
19 ~~will not exceed the lesser of \$8,500 or the school's~~  
20 ~~tuition.~~

21 ~~(2) The total aggregate amount of all tax credits~~  
22 ~~approved for contributions from business firms to opportunity~~  
23 ~~scholarship organizations shall not exceed [\$65,000,000]~~  
24 ~~\$85,000,000 in a fiscal year.~~

25 \* \* \*

26 Section ~~28~~ 26. Section 2108 of the act is amended to read: <--

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

28 The board of public education in each school district of the  
29 first class shall prescribe the mode or modes of determining the  
30 qualifications of applicants for positions as principals or

1 teachers in the schools of the district, and shall designate the  
2 kinds or grades of teachers' certificates which may or shall be  
3 used in the district, together with the scholastic,  
4 professional, and personal qualifications required for each kind  
5 or grade of certificate.

6 No certificate shall be granted to any person who is not of  
7 good moral character, or to any person who shall not first have  
8 presented a certificate, from a physician recognized by the  
9 board of public education as competent for the purpose, setting  
10 forth that said applicant is neither mentally nor physically  
11 disqualified by reason of tuberculosis, or any other chronic or  
12 acute physical [defect] impairment, from successfully performing  
13 the duties of a teacher.

14 Section ~~29~~ 27. The act is amended by adding a section to <--  
15 read:

16 Section 2327. State aid for fiscal year 2023-2024.

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

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

25 (2) All funds remaining after the distribution under  
26 paragraph (1) shall be distributed to each library under the  
27 following formula:

28 (i) Divide the sum of the amount of funding the  
29 library received in fiscal year 2022-2023 under section  
30 2326(1) and paragraph (1) by the sum of the total amount

1 of State aid provided under section 2326(1) and paragraph  
2 (1).

3 (ii) Multiply the quotient under subparagraph (i) by  
4 \$70,422,981.

5 (3) Following distribution of funds appropriated for  
6 State aid to libraries under paragraphs (1) and (2), any  
7 remaining funds may be distributed at the discretion of the  
8 State Librarian.

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

14 (5) Each library system receiving State aid under this  
15 subsection may distribute the local library share of that aid  
16 in a manner as determined by the board of directors of the  
17 library system.

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

22 (7) In the event of a change in district library center  
23 population prior to the effective date of this section as a  
24 result of:

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

27 (ii) a transfer of district library center status to  
28 a county library system; funding of district library  
29 center aid shall be paid based on the population of the  
30 newly established or reconfigured district library

1           center.

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

6           Section ~~30~~ 28. Section 2501(11) of the act is amended to       <--  
7 read:

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

10           \* \* \*

11           (11) "Actual Instruction Expense Per Elementary Teaching  
12 Unit, Actual Instruction Expense Per Elementary Teaching Unit in  
13 a Laboratory School of a State-owned College, Actual Instruction  
14 Expense Per Secondary Teaching Unit, Actual Instruction Expense  
15 Per Secondary Teaching Unit in a Laboratory School of a State-  
16 owned College, Actual Instruction Expense Per Joint Elementary  
17 Teaching Unit, Actual Instruction Expense Per Joint Secondary  
18 Teaching Unit, Actual Instruction Expense Per Area Technical  
19 School Teaching Unit." In 1958 in the month of September and  
20 thereafter annually in the month of September, the Department of  
21 Education shall calculate for each school district for the  
22 immediately preceding school year the actual instruction expense  
23 per elementary teaching unit for elementary pupils educated in  
24 the district's public schools, the actual instruction expense  
25 per secondary teaching unit for secondary pupils educated in the  
26 district's public schools, the actual instruction expense per  
27 joint elementary teaching unit for elementary pupils educated in  
28 elementary schools of jointures of which the district is a  
29 member, the actual instruction expense per joint secondary  
30 teaching unit for secondary pupils educated in secondary schools

1 of jointures of which the district is a member, the actual  
2 instruction expense per area technical school teaching unit for  
3 pupils educated in area technical schools in which the district  
4 participates, the actual instruction expense per elementary  
5 teaching unit for elementary pupils residing in the district and  
6 educated in the public schools of other districts within the  
7 Commonwealth, and the actual instruction expense per secondary  
8 teaching unit for secondary pupils residing in the district and  
9 educated in the public schools of other districts within the  
10 Commonwealth. In each case, actual instruction expense per  
11 teaching unit shall be the sum of (i) and (ii) below but in no  
12 case shall include expenses for debt service, capital outlay,  
13 rentals of capital facilities and equipment, salaries and  
14 expenses for school nurses, for medical and dental services, for  
15 driver education courses, for reimbursable transportation of  
16 pupils, for tuition paid to other school districts, for  
17 reimbursable board and lodging in lieu of transportation, for  
18 salaries of directors and supervisors of special education,  
19 public school psychologists, principals of special schools and  
20 assistants, teachers of approved special classes for [physically  
21 and mentally handicapped] children with physical or mental  
22 disabilities, clerks and assistants employed in programs for  
23 special education, for school district contributions to the  
24 retirement fund on behalf of directors and supervisors of  
25 special education, public school psychologists, principals of  
26 special schools and assistants, teachers of approved special  
27 classes for [physically and mentally handicapped] children with  
28 physical or mental disabilities, clerks and assistants employed  
29 in programs for special education, for the cost of textbooks and  
30 supplies of the second class used in special education classes



1 or schools, for extension schools and classes, for extension  
2 recreation activities, for career and technical extension  
3 education, or for instruction of homebound children. (i)  
4 Expenses of general control per teaching unit. Expenses of  
5 general control shall include: salaries, supplies and other  
6 expenses of the secretary's office; commission or salary of  
7 treasurer, tax collector, auditors and legal service; expenses  
8 of census enumeration and other expenses of business  
9 administration; salaries of the superintendent of schools and  
10 clerks of the superintendent of schools; expenses of supplies  
11 and other expenses of the superintendent of schools' office; and  
12 other expenses of general control. In the case of computation of  
13 actual instruction expense per elementary teaching unit for  
14 district pupils educated in the schools of the district and for  
15 district pupils educated in the public schools of other  
16 districts within the Commonwealth and actual instruction expense  
17 per secondary teaching unit for district pupils educated in the  
18 schools of the district and for district pupils educated in the  
19 public schools of other districts within the Commonwealth,  
20 expenses of general control per teaching unit shall be  
21 calculated by dividing the foregoing listed expenses of general  
22 control of the school district by the number of teaching units  
23 based on the number of all pupils who are residents of the  
24 school district and are in average daily membership in the  
25 public schools of the Commonwealth. In the case of computation  
26 of actual instruction expense per joint elementary teaching unit  
27 and actual instruction expense per joint secondary teaching  
28 unit, expenses of general control per teaching unit shall be  
29 calculated by dividing the foregoing listed expenses of general  
30 control of the school district by the number of teaching units

1 based on the number of all pupils who are residents of the  
2 school district and are in average daily membership in the  
3 public schools of the Commonwealth, and adding thereto the  
4 quotient obtained by dividing the foregoing listed expenses of  
5 general control of the joint school district by the number of  
6 joint teaching units based on the number of pupils who are  
7 residents of school districts that are members of the joint  
8 school district and are in average daily membership in the  
9 schools of the joint school district. In the case of computation  
10 of actual instruction expense per area technical school teaching  
11 unit, expenses of general control per teaching unit shall be  
12 computed by dividing the foregoing listed expenses of general  
13 control of the school district by the number of teaching units  
14 based on the total number of all pupils who are residents of the  
15 school district and are in average daily membership in the  
16 public schools of the Commonwealth, and adding thereto the  
17 quotient obtained by dividing the foregoing listed expenses of  
18 general control of the area technical school by the number of  
19 area technical school teaching units based on the number of  
20 pupils who are residents of districts participating in the area  
21 technical school and are in average daily membership in the area  
22 technical school. (ii) Expenses of the school district, joint  
23 school district, area technical school, or such other school  
24 district within the Commonwealth in which the districts' pupils  
25 are educated, as the case may be, on account of instruction,  
26 auxiliary agencies and coordinate activities, operation of  
27 school plant, maintenance of school plant, and fixed charges,  
28 and each separately for elementary and for secondary schools,  
29 per teaching unit, calculated by dividing the sums of (a), (b),  
30 (c), (d), and (e) below by the numbers of elementary, secondary,

1 joint elementary, joint secondary, and area technical school  
2 teaching units, respectively, based on the number of all pupils  
3 on an equivalent full-time basis in average daily membership in  
4 the public schools of the district, or joint district, or the  
5 area technical school, or other school district within the  
6 Commonwealth in which pupils of the district are educated, as  
7 the case may be; (a) expenses of instruction, to include  
8 salaries of supervisors and other expenses of supervisors,  
9 salaries of principals and principals' clerks, supplies of the  
10 principals' offices, other expenses of supervision, teachers'  
11 and teacher-librarians, salaries, textbooks, library books,  
12 supplies used in instruction including library supplies,  
13 expenses of attending teachers' institutes, commencement  
14 exercise and exhibit expenses, and other expenses of  
15 instruction, (b) expenses of auxiliary agencies and coordinate  
16 activities, to include salaries, books, repairs, replacements,  
17 and other expenses of public libraries, and non-reimbursable  
18 transportation and board and lodging in lieu of transportation,  
19 and provisions for tubercular and undernourished children,  
20 community lectures, social centers and recreation, enforcement  
21 of attendance, and other expenses of auxiliary agencies and  
22 coordinate activities, (c) expenses of operation of school  
23 plant, to include wages of janitors and other employes, fuel,  
24 water, light, power, janitors' supplies, care of grounds,  
25 services other than personal, telephone rental, and other  
26 expenses of operation, (d) expenses of maintenance of school  
27 plant, to include upkeep of grounds, repair of buildings,  
28 repairs and replacements, heating, plumbing, lighting, apparatus  
29 used in instruction, furniture, and other equipment, (e)  
30 expenses of fixed charges, to include payments made to the

1 retirement board, rent, all insurance, and other fixed charges:  
2 Provided, That the actual instruction expense for elementary  
3 teaching unit for district pupils educated in the elementary  
4 grades of a laboratory school of a State-owned college and the  
5 actual instruction expenses for secondary teaching unit for  
6 district pupils educated in the high school grades of a  
7 laboratory school of a State-owned college shall be computed by  
8 (i) dividing the total amount of money paid to the State-owned  
9 college by the resident district for the education of all  
10 resident elementary children enrolled in a laboratory school of  
11 a State-owned college by the number of such elementary teaching  
12 units based on the total number of such resident children in  
13 average daily membership in the laboratory school, (ii) dividing  
14 the total amount of money paid to the State-owned college by the  
15 resident district for the education of all resident secondary  
16 children enrolled in a laboratory school of a State-owned  
17 college by the number of such secondary teaching units based on  
18 the total number of such resident children in average daily  
19 membership in the laboratory school. The teaching units are  
20 computed on the basis of thirty (30) equivalent full time  
21 elementary children and twenty-two (22) equivalent full time  
22 secondary children.

23 \* \* \*

24 Section ~~31~~ 29. Section 2502.8(b)(1) of the act, amended July <--  
25 8, 2022 (P.L.620, No.55), is 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

1 on account of resident pupils enrolled in career and technical  
2 curriculums; for the 1985-1986 school year through the 1999-2000  
3 school year, each school district and area career and technical  
4 school shall be paid an amount on account of students enrolled  
5 in career and technical curriculums; for the 2000-2001 school  
6 year and each school year thereafter, each school district, area  
7 career and technical school and charter school shall be paid an  
8 amount on account of students enrolled in career and technical  
9 curriculums, determined as follows:

10 (1) Determine the increase in the weighted average daily  
11 membership by multiplying the number of students in average  
12 daily membership in career and technical curriculums in area  
13 career and technical schools by twenty-one hundredths (.21) and  
14 the number of students in average daily membership in school  
15 district and charter school career and technical curriculums by  
16 seventeen hundredths (.17); except[, for]:

17 (i) for the 2021-2022 school year [and each fiscal year  
18 thereafter], determine the increase in the weighted average  
19 daily membership by multiplying the number of students in  
20 average daily membership in career and technical curriculums in  
21 area career and technical schools by two thousand two hundred  
22 seventy-six ten thousandths (.2276) and the number of students  
23 in average daily membership in school district and charter  
24 school career and technical curriculums by one thousand eight  
25 hundred forty-four ten thousandths (.1844).

26 (ii) For the 2022-2023 school year and each fiscal year  
27 thereafter, determine the increase in the weighted average daily  
28 membership by multiplying the number of students in average  
29 daily membership in career and technical curriculums in area  
30 career and technical schools by two thousand six hundred sixty-

1 eight ten thousandths (.2668) and the number of students in  
2 average daily membership in school district and charter school  
3 career and technical curriculums by two thousand one hundred  
4 seventy-eight ten thousandths (.2178).

5 \* \* \*

6 Section ~~32~~ 30. Section 2509 heading and (b) of the act are <--  
7 amended to read:

8 Section 2509. Payments on Account of Courses for  
9 [**Exceptional**] Children with Disabilities.--\* \* \*

10 (b) To find the "instruction cost per special class pupil,"  
11 add (1) salaries of directors and supervisors of special  
12 education, public school psychologists, principals of special  
13 schools and assistants, teachers of approved special classes for  
14 [**exceptional**] children with disabilities, clerks and assistants  
15 employed in the district's program for special education, (2)  
16 the district's contribution to the retirement fund on behalf of  
17 directors and supervisors of special education, public school  
18 psychologists, principals of special schools and assistants,  
19 teachers of approved special classes for [**exceptional**] children  
20 with disabilities, clerks and assistants employed in the  
21 district's program for special education, (3) the cost of  
22 textbooks and supplies of the second class used in the  
23 district's special education classes or schools, (4) the cost of  
24 telephonic system equipment which enables [**handicapped**] children  
25 with physical or intellectual disabilities to remain in their  
26 homes and still participate in classroom activities. Divide the  
27 sum of (1), (2), (3), and (4) on that part thereof which is  
28 approved by the Department of Education for reimbursement by the  
29 total number of pupils, including those pupils who have  
30 available for use telephonic system equipment whereby they may

1 remain at home and still participate in classroom activities, in  
2 average daily membership in the district's approved special  
3 classes for [exceptional] children with disabilities. The  
4 quotient so obtained shall be the "instruction cost per [special  
5 class pupil] student with a disability."

6 \* \* \*

7 Section ~~33~~ 31. Sections 2509.1(c.2) (1) and 2510.3(a) (2) of <--  
8 the act, amended July 8, 2022 (P.L.620, No.55), are amended to  
9 read:

10 Section 2509.1. Payments to Intermediate Units.--\* \* \*

11 (c.2) The following apply:

12 (1) For the 2016-2017, 2017-2018, 2018-2019, 2019-2020,  
13 2020-2021, 2021-2022 [and], 2022-2023 and 2023-2024 school  
14 years, five and five-tenths percent (5.5%) of the State special  
15 education appropriation shall be paid to intermediate units on  
16 account of special education services.

17 \* \* \*

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

21 \* \* \*

22 (2) For the 2017-2018, 2018-2019, 2019-2020, 2020-2021,  
23 2021-2022 [and], 2022-2023 and 2023-2024 fiscal years, the  
24 Department of Education may utilize up to seven million dollars  
25 (\$7,000,000) of undistributed funds not expended, encumbered or  
26 committed from appropriations for grants, subsidies and  
27 assessments made to the Department of Education to assist school  
28 districts declared to be in financial recovery status under  
29 section 621-A, identified for financial watch status under  
30 section 611-A or identified for financial watch status under

1 section 694-A; except that the funds must be first utilized to  
2 accomplish the provisions contained in section 695-A. The funds  
3 shall be transferred by the Secretary of the Budget to a  
4 restricted account as necessary to make payments under this  
5 section and, when transferred, are hereby appropriated to carry  
6 out the provisions of this section.

7 \* \* \*

8 Section ~~34~~ 32. Sections 2517(e) and 2541(b) (3) of the act <--  
9 are amended to read:

10 Section 2517. Payments.--\* \* \*

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

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

18 \* \* \*

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

21 \* \* \*

22 (3) To all school districts, for the transportation of  
23 [physically or mentally handicapped] children with physical or  
24 intellectual disabilities regularly enrolled in special classes  
25 approved by the Department of Education or enrolled in a regular  
26 class in which approved educational provisions are made for  
27 them.

28 \* \* \*

29 Section ~~35~~ 33. Section 2599.6 of the act is amended by <--  
30 adding a subsection to read:



1 Section 2599.6. Ready-to-Learn Block Grant.--\* \* \*

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

7 \* \* \*

8 Section ~~36~~ 34. Section 2599.7(b), (c) and (d) of the act are <--  
9 amended to read:

10 Section 2599.7. Payment of Required Contribution for Public  
11 School Employes' Social Security.--\* \* \*

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

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

27 (d) For the fiscal year beginning July 1, 2019, through the  
28 fiscal year ending June 30, 2023, if the amount calculated for  
29 payments to school districts under 24 Pa.C.S. § 8329 exceeds the  
30 amount necessary, the Department of Education shall notify the

1 Governor, the chairperson and minority chairperson of the  
2 Appropriations Committee of the Senate and the chairperson and  
3 minority chairperson of the Appropriations Committee of the  
4 House of Representatives of the amount of the excess. An amount  
5 equal to the excess shall be distributed to school districts as  
6 a supplemental payment calculated under the formula contained in  
7 section 2502.53.

8 \* \* \*

9 Section ~~37~~ 35. Section 2608-J of the act, amended July 8, <--  
10 2022 (P.L.620, No.55), is amended to read:

11 Section 2608-J. Applicability.

12 This article shall apply to projects for which approval and  
13 reimbursement is sought and to the maintenance project grant  
14 program beginning July 1, [~~2023~~] 2024.

15 Section ~~38~~ 36. The act is amended by adding an article to <--  
16 read:

17 ARTICLE XXVI-L

18 SCHOOL ENVIRONMENTAL REPAIRS PROGRAM

19 Section 2601-L. Definitions.

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

23 "Account." The School Environmental Repairs Program  
24 Restricted Account established under section 2602-L.

25 "Department." The Department of Education of the  
26 Commonwealth.

27 "Program." The School Environmental Repairs Program  
28 established under section 2603-L.

29 "School entity." A school district, area career and  
30 technical school, charter school or regional charter school.

1 Section 2602-L. School Environmental Repairs Program Restricted  
2 Account.

3 The School Environmental Repairs Program Restricted Account  
4 is established as a restricted account in the General Fund. The  
5 following shall apply:

6 (1) Money in the account is appropriated to the  
7 department on a continuing basis to provide program grants  
8 under this article during fiscal years 2023-2024 and 2024-  
9 2025.

10 (2) The State Treasurer may accept appropriations,  
11 transfers, gifts, donations, legacies or any other revenues,  
12 including allowable Federal funds, for deposit into the  
13 account.

14 (3) Any interest that accrues in the account shall  
15 remain in the account.

16 Section 2603-L. School Environmental Repairs Program.

17 (a) School Environmental Repairs Program.--The School  
18 Environmental Repairs Program is established in the department  
19 to provide grants to school entities for the abatement or  
20 remediation of environmental hazards in a school building or  
21 buildings.

22 (b) Application process.--The department shall develop a  
23 process for school entities to apply for program grants.

24 (c) Eligible projects.--Projects that abate or remediate  
25 environmental hazards, including, but not limited to, the  
26 abatement or remediation of lead in water sources, asbestos and  
27 mold inside the school buildings of eligible school entities,  
28 are eligible to receive a program grant.

29 (d) Form of application.--A school entity must apply for a  
30 program grant on a form prescribed by the department. The form

1 shall include the following information:

2 (1) Description of the abatement or remediation project.

3 (2) Information related to the risk of exposure to  
4 environmental hazards.

5 (3) Estimated cost of the project.

6 (4) Source and amount of local matching funds.

7 (5) Documentation to support the environmental hazards  
8 to be remedied, the estimated cost and the source of local  
9 matching funds.

10 (6) Timeline to complete the work.

11 (7) Other information required by the department.

12 (e) Grant prioritization.--The department shall prioritize  
13 eligible projects that abate or remediate environmental hazards  
14 that present the greatest risk of exposure using the following  
15 information:

16 (1) Elevated lead levels in drinking water.

17 (2) The percentage of the population in the county where  
18 the project is located with a confirmed blood lead level over  
19 5 µg/dL as determined by the department in consultation with  
20 the Department of Health.

21 (3) Contents of the application.

22 (4) Any other risk factor determined by the department.

23 (f) Funding and local match for program grants.--

24 (1) The department may award a program grant to an  
25 eligible school entity in an amount up to 50% of the cost of  
26 the eligible project. The department shall not award a  
27 program grant in excess of \$10,000,000.

28 (2) A school entity must have a local match of at least  
29 50% of the total cost of all projects listed in its  
30 application. The local match may come from any non-State

1 source funding, including Federal or local money and  
2 donations. The school entity must document its local match as  
3 part of its application.

4 (3) An eligible school entity may not use program grant  
5 money for recurring upkeep on physical facilities, including  
6 cleaning, minor repair of fixtures or structures, painting  
7 unrelated to the abatement or remediation of lead paint or  
8 the regular servicing of heating, air conditioning or other  
9 equipment.

10 (g) Guidelines.--The department shall issue guidelines for  
11 the program at least 60 days before the beginning of the  
12 application period. The guidelines shall include:

13 (1) The application process, including deadlines.

14 (2) The application form developed by the department.

15 (3) Information on eligible projects.

16 (4) An explanation of the prioritization factors.

17 (h) Monitoring.--The department, or its designee, shall  
18 randomly audit and monitor program grant recipients to ensure  
19 the appropriate use of program grant funds and compliance with  
20 provisions of the program.

21 (i) Effect of grant money received.--Program grant money  
22 received by a school district under this section may not be  
23 included when calculating the amount to be paid to a charter  
24 school under section 1725-A.

25 (j) Whole or partial awards.--The department, in its  
26 discretion, may award in whole or in part a request made by a  
27 school entity in its grant application based upon the merit of a  
28 specific item requested.

29 (k) Report.--The department shall publish program grant  
30 award information, including award amounts and a description of

1 the funded project, on its publicly accessible internet website  
2 at the conclusion of each funding round.

3 Section ~~39~~ 37. This act shall take effect immediately. <--