
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1752 Session of
2018

INTRODUCED BY BOBACK, DEAN, FRANKEL, DALEY, DERMODY, MILLARD,
CALTAGIRONE, READSHAW, HELM, SCHWEYER, NEILSON, MULLERY,
TOOHIL, ROZZI, SCHLOSSBERG, KORTZ, HILL-EVANS, DRISCOLL,
MURT, GILLEN, ROEBUCK, BRADFORD AND WATSON, JANUARY 9, 2018

REFERRED TO COMMITTEE ON EDUCATION, JANUARY 9, 2018

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 safe schools, further providing
6 for Office for Safe Schools.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Section 1302-A(b), (b.1), (c) introductory
10 paragraph, (3), (6), (7) and (8), (e) and (f) of the act of
11 March 10, 1949 (P.L.30, No.14), known as the Public School Code
12 of 1949, are amended and subsection (c) is amended by adding a
13 paragraph to read:

14 Section 1302-A. Office for Safe Schools.--* * *

15 (b) The office shall have the power and duty to implement
16 the following:

17 (1) To coordinate antiviolenace efforts between school
18 entities, postsecondary institutions, professional, parental,
19 familial, governmental, law enforcement and community

1 organizations and associations.

2 (2) To collect, develop and disseminate information,
3 policies, strategies and other information to assist in the
4 development of programs to [impact] improve prevention of and
5 response to school violence.

6 (2.1) To direct all school entities and postsecondary
7 institutions to submit annual school violence statistics and
8 reports to the office no later than July 31 of each year.

9 (3) To provide [direct training to] professional development
10 training opportunities for school employes and staff and faculty
11 of postsecondary institutions, so that the school employes and
12 staff and faculty are equipped with the necessary tools and
13 skills to work with students, parents and families, law
14 enforcement officials and communities on effective measures to
15 prevent and combat school violence.

16 (4) To advise school entities [and], nonpublic schools and
17 postsecondary institutions on the development of policies to be
18 used regarding possession of weapons by any person, acts of
19 violence and protocols for coordination with and reporting to
20 law enforcement officials and the Department of Education.

21 (4.1) [To verify the existence of corrective action plans to
22 reduce incidents of violence as required in the No Child Left
23 Behind Act of 2001 (Public Law 107-110, 115 Stat. 1425).] To
24 monitor and prioritize resources and supports to schools
25 identified as persistently dangerous under the Elementary and
26 Secondary Education Act of 1965 (Public Law 89-10, 20 U.S.C. §
27 6301 et seq.), as amended by the Every Student Succeeds Act
28 (Public Law 114-95, 129 Stat. 1802).

29 (5) To develop forms to be used by school entities and
30 police departments for reporting incidents involving acts of

1 violence and possession of weapons on school property. The forms
2 shall be reviewed on a biennial basis and revised when
3 necessary.

4 (6) To verify that each school entity [has a biennially
5 updated and reexecuted memorandum of understanding with local
6 law enforcement and has filed such memorandum with the office on
7 a biennial basis.] and postsecondary institution is in
8 compliance with Federal and State requirements related to
9 coordination with local law enforcement, including, for school
10 entities, a memorandum of understanding with local law
11 enforcement updated, reexecuted and filed with the office on a
12 biennial basis.

13 (7) To publish and post on the Department of Education's
14 Internet website a School and Campus Safety Annual Report no
15 later than November 1 of each calendar year outlining all
16 incidents required to be reported under section 1303-A and any
17 school [district] entity that failed to submit a report under
18 section 1303-A[.], including each incident required to be
19 reported by postsecondary institutions under section 485(f) of
20 the Higher Education Act of 1965 (Public Law 89-329, 20 U.S.C. §
21 1092(f)), and the regulations at 34 CFR 668.46 (relating to
22 institutional security policies and crime statistics).

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

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

30 (10) To develop guidelines and resources for school entities

1 and postsecondary institutions to eliminate harassment and
2 violence on the basis of race, color, religious creed, ancestry,
3 sex, sexual orientation, gender identity or expression, national
4 origin, handicap or disability.

5 (11) To monitor the compliance by school entities and
6 postsecondary institutions with Federal and State laws, rules
7 and regulations concerning sexual harassment, sexual misconduct
8 and sexual discrimination towards students and promote resources
9 and professional development to improve employe knowledge of the
10 laws, rules and regulations and of their reporting
11 responsibilities. The office shall review data submitted by
12 school entities and postsecondary institutions and request
13 additional information demonstrating compliance with relevant
14 laws, rules and regulations from at least ten percent of school
15 entities and postsecondary institutions each year. The
16 department shall establish a compliance timetable and rules for
17 the enforcement of this article, and shall establish guidelines
18 for nondiscrimination programs to be adopted by school entities
19 and postsecondary institutions.

20 (b.1) The office shall process and tabulate the data on an
21 annual basis to assist [school] administrators at school
22 entities and postsecondary institutions and law enforcement
23 officials in their duties under this article.

24 (c) In addition to the powers and duties set forth under
25 subsection (b), the office is authorized to make targeted grants
26 to school entities and postsecondary institutions to fund
27 programs which address school violence, including:

28 * * *

29 (3) Risk assessment, safety-related, violence prevention
30 curricula and evidence-based programs, including, but not

1 limited to, primary prevention programs and risk reduction
2 programs, bystander intervention, dating violence curricula and
3 restorative justice strategies.

4 * * *

5 (6) Training to undertake a [districtwide] districtwide or
6 campuswide assessment of risk factors that increase the
7 likelihood of problem behaviors among students, including the
8 administration of school or campus climate surveys.

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

14 (8) [Comprehensive, districtwide school safety, violence
15 prevention, emergency preparedness and all-hazards plans,
16 including revisions or updates to such plans and conducting
17 emergency preparedness drills and related activities with local
18 emergency responders.] Development or improvement of existing
19 school or campus reporting systems, including options for
20 reporting alleged incidents to school or campus officials,
21 school or campus public safety or local law enforcement. The
22 reporting systems may include options for confidential or
23 anonymous reporting, where appropriate.

24 (8.1) Comprehensive, districtwide or campuswide school
25 safety, violence prevention, emergency preparedness and all-
26 hazards plans, including revisions or updates to the plans and
27 conducting emergency preparedness drills and related activities
28 with local emergency responders.

29 * * *

30 (e) The sum appropriated annually to the Department of

1 Education for the purpose of making targeted grants under this
2 section shall be allocated as follows:

3 (1) [Forty] Sixty percent of the sum shall be allocated for
4 grants under subsection (c).

5 (2) [Sixty] Forty percent of the sum shall be allocated for
6 grants under subsection (c.1).

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

9 "Bystander intervention" shall mean safe and positive options
10 carried out by an individual to prevent harm or to intervene
11 when there is a risk of dating violence, domestic violence,
12 sexual assault or stalking. Bystander intervention includes
13 recognizing situations of potential harm, understanding
14 institutional structures and cultural conditions that facilitate
15 violence, overcoming barriers to intervening, identifying safe
16 and effective intervention options and taking action to
17 intervene.

18 "Postsecondary institution" shall mean any institution of
19 higher education, a community college, a State-related
20 institution or a member institution of the State System of
21 Higher Education.

22 "Primary prevention programs" shall mean programming,
23 initiatives and strategies informed by research, or assessed for
24 value, effectiveness or outcome that are intended to stop dating
25 violence, domestic violence, sexual assault and stalking before
26 they occur through the promotion of positive and healthy
27 behaviors that foster healthy, mutually respectful relationships
28 and sexuality, encourage safe bystander intervention and seek to
29 change behavior and social norms in healthy and safe directions.

30 "Risk reduction" shall mean options designed to decrease

1 perpetration and bystander inaction and to increase empowerment
2 for victims in order to promote safety and help individuals and
3 communities address conditions that facilitate violence.

4 "School entity" shall mean a local education agency,
5 including a public school district, charter school, cyber
6 charter school or area vocational-technical school.

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