

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1950 Session of
2024

INTRODUCED BY MARCELL, CERRATO, WARNER, FREEMAN, SANCHEZ,
MADDEN, POWELL, D. WILLIAMS, KHAN, OTTEN AND CEPEDA-FREYTIZ,
JANUARY 9, 2024

REFERRED TO COMMITTEE ON EDUCATION, JANUARY 9, 2024

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 school health services,
6 establishing the School Bus Driver Epinephrine Auto-injector
7 Training and Grant Program; and imposing duties on the
8 Department of Education.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. The act of March 10, 1949 (P.L.30, No.14), known
12 as the Public School Code of 1949, is amended by adding a
13 section to read:

14 Section 1414.12. The School Bus Driver Epinephrine Auto-
15 injector Training and Grant Program.--(a) A school entity may
16 require a driver of a school bus or school vehicle who is
17 employed by, or under a contract with, a school entity to
18 transport students to complete training for the administration
19 of an epinephrine auto-injector under section 1414.9(2) prior to
20 transporting students.

1 (b) The School Bus Driver Epinephrine Auto-injector Training
2 Grant Program is established within the department for the
3 purpose of providing school entities with funding to raise
4 awareness and train drivers of a school bus or school vehicle to
5 recognize signs and symptoms of severe allergic reactions,
6 including anaphylaxis, and to administer an epinephrine auto-
7 injector.

8 (c) The department shall:

9 (1) Administer the program and, in its sole discretion,
10 establish eligibility criteria and award grants to eligible
11 school entities that submit a completed application.

12 (2) Provide notice of the program to school entities.

13 (3) Develop an application form that school entities may use
14 to apply for a grant under the program.

15 (d) A school entity that exercises the authority under
16 subsection (a) may apply for a grant under subsection (b).

17 (e) The grant shall be used by the school entity to fund the
18 establishment and implementation of a school bus driver
19 epinephrine auto-injector training program.

20 (f) Application shall be made to the department in such form
21 and at such time as the secretary may prescribe.

22 (g) The department shall use money appropriated for the
23 purpose of the program and may accept funding from public and
24 private sources, including the Federal Government, for the
25 payment of grants under this section.

26 (h) Nothing contained in this section shall supersede or
27 preempt any provision of a collective bargaining agreement
28 entered into between a school entity and an exclusive
29 representative of employes of the school entity in accordance
30 with the act of July 23, 1970 (P.L.563, No.195), known as the

1 "Public Employe Relations Act," and that is in effect on the
2 effective date of this section.

3 (i) In carrying out its powers and duties under this
4 section, a school entity shall:

5 (1) Comply with Federal and State student record
6 confidentiality laws and regulations, but may, with the consent
7 of a student's parent or legal guardian, disclose to the driver
8 of a school bus or school vehicle information about the
9 student's known allergy or that the student carries an epi-pen.

10 (2) Ensure that drivers of a school bus or school vehicle
11 have a clear understanding of Federal and State laws that
12 protect the privacy and confidentiality of student information
13 of students with food allergies.

14 (j) As used in this section, the following words and phrases
15 shall have the meanings given to them in this subsection unless
16 the context clearly indicates otherwise:

17 "Department." The Department of Education of the
18 Commonwealth.

19 "Program." The School Bus Driver Epinephrine Auto-injector
20 Training and Grant Program established in subsection (b).

21 "School bus." A school bus as defined in 75 Pa.C.S. § 102
22 (relating to definitions).

23 "School entity." A school district, charter school, cyber
24 charter school, regional charter school, private academic school
25 or nonpublic school operating within this Commonwealth.

26 "School vehicle." A school vehicle as defined in 75 Pa.C.S.
27 § 102.

28 "Secretary." The Secretary of Education of the Commonwealth.

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