

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 144 Session of 2019

INTRODUCED BY MARTIN, AUMENT, COSTA, BROWNE, K. WARD, MENSCH, BLAKE, FONTANA, J. WARD, REGAN, YUDICHAK, PHILLIPS-HILL AND BROOKS, MARCH 4, 2019

AMENDMENTS TO HOUSE AMENDMENTS, IN SENATE, JUNE 26, 2019

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 DEFINITIONS; IN SCHOOL DIRECTORS, FURTHER
7 PROVIDING FOR SCHOOL DIRECTOR TRAINING PROGRAMS; IN
8 INTERMEDIATE UNITS, PROVIDING FOR SCHOOL SAFETY AND SECURITY
9 ENHANCEMENTS; IN CERTIFICATION OF TEACHERS, FURTHER PROVIDING
10 FOR CONTINUING PROFESSIONAL DEVELOPMENT, PROVIDING FOR
11 TRAUMA-INFORMED EDUCATION AND FURTHER PROVIDING FOR
12 POSTBACCALAUREATE CERTIFICATION AND FOR PENNSYLVANIA SCHOOL
13 LEADERSHIP STANDARDS; IN SAFE SCHOOLS, FURTHER PROVIDING FOR
14 OFFICE FOR SAFE SCHOOLS; IN SCHOOL SAFETY AND SECURITY,
15 FURTHER PROVIDING FOR DEFINITIONS, FOR SCHOOL SAFETY AND
16 SECURITY COMMITTEE, FOR SURVEY OF SCHOOL SAFETY AND SECURITY,
17 FOR SCHOOL SAFETY AND SECURITY GRANT PROGRAM, FOR RISK AND
18 VULNERABILITY ASSESSMENT TEAMS, FOR SCHOOL SAFETY AND
19 SECURITY COORDINATOR AND FOR SCHOOL SAFETY AND SECURITY
20 TRAINING AND PROVIDING FOR TRAUMA-INFORMED APPROACH; IN
21 SAFE2SAY PROGRAM, FURTHER PROVIDING FOR JUDICIAL PROCEEDING
22 AND FOR ANNUAL REPORT; PROVIDING FOR THREAT ASSESSMENT; IN
23 SCHOOL HEALTH SERVICES, FURTHER PROVIDING FOR
24 CONFIDENTIALITY, TRANSFERENCE AND REMOVAL OF HEALTH RECORDS;
25 IN EARLY LEARNING PROGRAMS, FURTHER PROVIDING FOR DUTIES OF
26 DEPARTMENT; providing for the Keystone Telepresence Education
27 Grant Program; IN THE STATE BOARD OF EDUCATION, FURTHER <--
28 PROVIDING FOR POWERS AND DUTIES OF THE BOARD AND FOR POWERS
29 AND DUTIES OF COUNCIL OF BASIC EDUCATION AND COUNCIL OF
30 HIGHER EDUCATION; AND PROVIDING FOR REFERENCES TO AREA CAREER
31 AND TECHNICAL SCHOOL IN STATUTE AND REGULATION.

1 The General Assembly of the Commonwealth of Pennsylvania
2 hereby enacts as follows:

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

6 SECTION 1. SECTION 102 OF THE ACT OF MARCH 10, 1949 (P.L.30, <--
7 NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF 1949, IS AMENDED BY
8 ADDING DEFINITIONS TO READ:

9 SECTION 102. DEFINITIONS.--WHEN USED IN THIS ACT THE
10 FOLLOWING WORDS AND PHRASES SHALL HAVE THE FOLLOWING MEANINGS:

11 * * *

12 "TRAUMA." INCLUDES RESULTS FROM AN EVENT, SERIES OF EVENTS
13 OR SET OF CIRCUMSTANCES THAT IS EXPERIENCED BY AN INDIVIDUAL AS
14 PHYSICALLY OR EMOTIONALLY HARMFUL OR THREATENING AND THAT HAS
15 LASTING ADVERSE EFFECTS ON THE INDIVIDUAL'S COGNITIVE
16 FUNCTIONING AND PHYSICAL, SOCIAL, EMOTIONAL, MENTAL OR SPIRITUAL
17 WELL-BEING.

18 "TRAUMA-INFORMED APPROACH." INCLUDES A SCHOOL-WIDE APPROACH
19 TO EDUCATION AND A CLASSROOM-BASED APPROACH TO STUDENT LEARNING
20 THAT RECOGNIZES THE SIGNS AND SYMPTOMS OF TRAUMA AND RESPONDS BY
21 FULLY INTEGRATING KNOWLEDGE ABOUT TRAUMA INTO POLICIES,
22 PROFESSIONAL LEARNING, PROCEDURES AND PRACTICES FOR THE PURPOSES
23 OF RECOGNIZING THE PRESENCE AND ONSET OF TRAUMA, RESISTING THE
24 REOCCURRENCE OF TRAUMA AND PROMOTING RESILIENCY TAILORED TO A
25 SCHOOL ENTITY'S CULTURE, CLIMATE AND DEMOGRAPHICS AND THE
26 COMMUNITY AS A WHOLE.

27 * * *

28 SECTION 2. SECTION 328 (A) (1) AND (2) AND (B) (1) AND (2) OF
29 THE ACT ARE AMENDED TO READ:

30 SECTION 328. SCHOOL DIRECTOR TRAINING PROGRAMS.--(A)

1 BEGINNING IN THE 2018-2019 SCHOOL YEAR AND IN EACH SCHOOL YEAR
2 THEREAFTER, THE FOLLOWING SHALL APPLY:

3 (1) EACH NEWLY ELECTED OR APPOINTED SCHOOL DIRECTOR SHALL
4 COMPLETE, DURING THE FIRST YEAR OF THE SCHOOL DIRECTOR'S FIRST
5 TERM, A TRAINING PROGRAM MADE AVAILABLE BY THE DEPARTMENT OF
6 EDUCATION, IN CONSULTATION WITH A STATEWIDE ORGANIZATION
7 REPRESENTING SCHOOL DIRECTORS AND A STATEWIDE ORGANIZATION
8 REPRESENTING SCHOOL BUSINESS OFFICIALS, PERTAINING TO THE SKILLS
9 AND KNOWLEDGE NECESSARY TO SERVE AS A SCHOOL DIRECTOR. THE
10 TRAINING PROGRAM SHALL CONSIST OF A MINIMUM OF [FOUR (4)] FIVE
11 (5) HOURS OF INSTRUCTION, INCLUDING, AT A MINIMUM, INFORMATION
12 REGARDING THE FOLLOWING:

13 (I) INSTRUCTION AND ACADEMIC PROGRAMS.

14 (I.1) BEST PRACTICES RELATED TO TRAUMA-INFORMED APPROACHES,
15 WHICH SHALL COMPRISE A MINIMUM OF ONE (1) HOUR OF INSTRUCTION.

16 (II) PERSONNEL.

17 (III) FISCAL MANAGEMENT.

18 (IV) OPERATIONS.

19 (V) GOVERNANCE.

20 (VI) ETHICS AND OPEN MEETINGS, TO INCLUDE THE REQUIREMENTS
21 UNDER 65 PA.C.S. PT. II (RELATING TO ACCOUNTABILITY).

22 (2) WITHIN ONE (1) YEAR AFTER EACH REELECTION OR
23 REAPPOINTMENT TO THE BOARD OF SCHOOL DIRECTORS, EACH SCHOOL
24 DIRECTOR SHALL COMPLETE AN ADVANCED TRAINING PROGRAM MADE
25 AVAILABLE BY THE DEPARTMENT OF EDUCATION IN CONSULTATION WITH A
26 STATEWIDE ORGANIZATION REPRESENTING SCHOOL DIRECTORS AND A
27 STATEWIDE ORGANIZATION REPRESENTING SCHOOL BUSINESS OFFICIALS.
28 THE ADVANCED TRAINING PROGRAM SHALL CONSIST OF A MINIMUM OF [TWO
29 (2)] THREE (3) HOURS OF INSTRUCTION, INCLUDING INFORMATION ON
30 RELEVANT CHANGES TO FEDERAL AND STATE PUBLIC SCHOOL LAW AND

1 REGULATIONS, FISCAL MANAGEMENT, TRAUMA-INFORMED APPROACHES AND
2 OTHER INFORMATION DEEMED APPROPRIATE BY THE DEPARTMENT OF
3 EDUCATION TO ENABLE THE SCHOOL DIRECTOR TO SERVE EFFECTIVELY.

4 * * *

5 (B) BEGINNING IN THE 2018-2019 SCHOOL YEAR, AND IN EACH
6 SCHOOL YEAR THEREAFTER, THE FOLLOWING SHALL APPLY:

7 (1) EACH NEWLY APPOINTED TRUSTEE OF A CHARTER SCHOOL ENTITY
8 SHALL COMPLETE, WITHIN THE TRUSTEE'S FIRST YEAR OF SERVICE, A
9 TRAINING PROGRAM MADE AVAILABLE BY THE DEPARTMENT OF EDUCATION,
10 IN CONSULTATION WITH STATEWIDE ORGANIZATIONS REPRESENTING
11 CHARTER SCHOOL ENTITIES, PERTAINING TO THE SKILLS AND KNOWLEDGE
12 NECESSARY TO SERVE AS A CHARTER SCHOOL ENTITY TRUSTEE. THE
13 TRAINING PROGRAM SHALL CONSIST OF A MINIMUM OF [~~FOUR (4)~~] FIVE
14 (5) HOURS OF INSTRUCTION, INCLUDING, AT A MINIMUM, THE
15 INFORMATION LISTED IN SUBSECTION (A) (1) AND INFORMATION
16 CONCERNING ARTICLE XVII-A.

17 (2) DURING THE FIFTH YEAR OF A TRUSTEE'S SERVICE ON THE
18 BOARD OF TRUSTEES AND EVERY FOUR (4) YEARS THEREAFTER, EACH
19 TRUSTEE SHALL COMPLETE AN ADVANCED TRAINING PROGRAM MADE
20 AVAILABLE BY THE DEPARTMENT OF EDUCATION IN CONSULTATION WITH
21 STATEWIDE ORGANIZATIONS REPRESENTING CHARTER SCHOOL ENTITIES.
22 THE ADVANCED TRAINING PROGRAM SHALL CONSIST OF A MINIMUM OF [~~TWO~~
23 ~~(2)~~] THREE (3) HOURS OF INSTRUCTION, INCLUDING INFORMATION ON
24 RELEVANT CHANGES TO FEDERAL AND STATE PUBLIC SCHOOL LAW AND
25 REGULATIONS, INCLUDING ARTICLE XVII-A, FISCAL MANAGEMENT,
26 TRAUMA-INFORMED APPROACHES AND OTHER INFORMATION DEEMED
27 APPROPRIATE BY THE DEPARTMENT OF EDUCATION TO ENABLE THE TRUSTEE
28 TO SERVE EFFECTIVELY.

29 * * *

30 SECTION 3. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

1 SECTION 923.3-A. SCHOOL SAFETY AND SECURITY ENHANCEMENTS.--

2 (A) LEGISLATIVE FINDINGS; DECLARATION OF POLICY. THE WELFARE OF
3 THIS COMMONWEALTH REQUIRES THAT ALL SCHOOL CHILDREN SHOULD BE
4 AFFORDED THE OPPORTUNITY TO ATTEND A SCHOOL THAT IS SAFE AND
5 SECURE. IT IS THE INTENT OF THE GENERAL ASSEMBLY TO ENSURE THAT
6 ALL OF THIS COMMONWEALTH'S NONPUBLIC SCHOOLS ARE AFFORDED
7 OPPORTUNITIES TO PROVIDE SAFETY AND SECURITY ENHANCEMENTS FOR
8 THEIR STUDENTS SIMILAR TO THE OPPORTUNITIES PROVIDED TO THE
9 PUBLIC SCHOOLS.

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

11 "NONPUBLIC SCHOOL" MEANS ANY SCHOOL, OTHER THAN A PUBLIC
12 SCHOOL WITHIN THIS COMMONWEALTH, WHEREIN A RESIDENT OF THIS
13 COMMONWEALTH MAY LEGALLY FULFILL THE COMPULSORY SCHOOL
14 ATTENDANCE REQUIREMENTS OF THIS ACT AND WHICH MEETS THE
15 REQUIREMENTS OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 (PUBLIC
16 LAW 88-352, 78 STAT. 241).

17 "SCHOOL SAFETY AND SECURITY ENHANCEMENTS" MEANS PROGRAMS
18 WHICH ARE DESIGNED TO ADDRESS SCHOOL SAFETY AND SECURITY AND
19 LISTED IN SECTION 1302-A(C), WHICH ARE SECULAR AND
20 NONIDEOLOGICAL IN NATURE.

21 (C) PROGRAM OF SCHOOL SAFETY AND SECURITY ENHANCEMENTS. A
22 PROGRAM OF SCHOOL SECURITY ENHANCEMENTS SHALL BE PROVIDED BY AN
23 INTERMEDIATE UNIT IN WHICH A NONPUBLIC SCHOOL IS LOCATED, IN
24 ACCORDANCE WITH STANDARDS DEVELOPED BY THE SECRETARY OF
25 EDUCATION IN CONSULTATION WITH THE OFFICE OF SAFE SCHOOLS AND
26 THE PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY. THROUGH
27 THE PROGRAM, AN INTERMEDIATE UNIT SHALL MAKE APPLICATION FOR
28 SCHOOL SAFETY AND SECURITY ENHANCEMENTS UPON THE REQUEST OF A
29 NONPUBLIC SCHOOL OR COMBINATION OF NONPUBLIC SCHOOLS LOCATED
30 WITHIN THE INTERMEDIATE UNIT. SCHOOL SAFETY AND SECURITY

1 ENHANCEMENTS FOR WHICH GRANTS ARE RECEIVED SHALL BE PROVIDED FOR
2 OR CONTRACTED FOR DIRECTLY BY THE INTERMEDIATE UNIT OR LOANED BY
3 THE INTERMEDIATE UNIT TO THE NONPUBLIC SCHOOL.

4 (D) LIMITATIONS. IN CARRYING OUT THE DUTIES OF THIS SECTION,
5 THE INTERMEDIATE UNIT MAY NOT USE MORE THAN FIVE PER CENTUM (5%)
6 OF THE FUNDS IT RECEIVES UNDER THIS SECTION FOR GRANT
7 ADMINISTRATION. IF ALL FUNDS ALLOCATED BY THE INTERMEDIATE UNITS
8 FOR ADMINISTRATION ARE NOT EXPENDED FOR PURPOSES OF THIS
9 SECTION, THE FUNDS MAY BE USED FOR OTHER PROGRAM COSTS.

10 SECTION 4. SECTION 1205.1 OF THE ACT IS AMENDED BY ADDING A
11 SUBSECTION TO READ:

12 SECTION 1205.1. CONTINUING PROFESSIONAL DEVELOPMENT.--* * *

13 (B.1) THE PROFESSIONAL EDUCATION PLAN OF EACH SCHOOL ENTITY
14 SHALL INCLUDE A MINIMUM OF ONE (1) HOUR OF REQUIRED TRAINING IN
15 TRAUMA-INFORMED APPROACHES.

16 * * *

17 SECTION 5. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

18 SECTION 1205.7. TRAUMA-INFORMED EDUCATION.--(A) SCHOOL
19 ENTITIES SHALL PROVIDE SCHOOL EMPLOYEES WITH TRAINING ON TRAUMA-
20 INFORMED APPROACHES. THE FOLLOWING APPLY:

21 (1) TRAINING SHALL ADDRESS, BUT SHALL NOT BE LIMITED TO:

22 (I) RECOGNITION OF THE SIGNS OF TRAUMA IN STUDENTS.

23 (II) BEST PRACTICES FOR SCHOOLS AND CLASSROOMS REGARDING
24 TRAUMA-INFORMED APPROACHES, INCLUDING UTILIZATION OF MULTITIERED
25 SYSTEMS OF SUPPORT.

26 (III) RECOGNITION OF THE SIGNS OF THE IMPACT OF SECONDARY
27 TRAUMA ON SCHOOL EMPLOYEES AND APPROPRIATE RESOURCES FOR SCHOOL
28 EMPLOYEES WHO ARE EXPERIENCING SECONDARY TRAUMA.

29 (IV) THE SCHOOL ENTITY'S POLICIES REGARDING TRAUMA-INFORMED
30 APPROACHES.

1 (V) THE SCHOOL ENTITY'S POLICIES REGARDING CONNECTING
2 STUDENTS WITH APPROPRIATE SERVICES.

3 (2) TRAINING SHALL BE ON EVIDENCE-BASED OR EVIDENCE-INFORMED
4 PROGRAMS THAT ARE TAILORED TO THE LOCAL COMMUNITY AND REFLECT
5 CURRENT BEST PRACTICES RELATED TO TRAUMA-INFORMED APPROACHES.

6 (3) SCHOOL EMPLOYES REQUIRED TO UNDERGO CONTINUING
7 PROFESSIONAL EDUCATION UNDER SECTION 1205.2 OR 1205.5 SHALL
8 RECEIVE CREDIT TOWARD THE SCHOOL EMPLOYES' CONTINUING
9 PROFESSIONAL EDUCATION REQUIREMENTS IF THE TRAINING PROGRAM HAS
10 BEEN APPROVED BY THE DEPARTMENT OF EDUCATION.

11 (4) THE SCHOOL ENTITY SHALL MAKE A REASONABLE EFFORT TO
12 FACILITATE A TIME AND LOCATION FOR SCHOOL EMPLOYES UNDER THIS
13 SECTION TO PARTICIPATE IN THE TRAINING DURING PAID WORKING HOURS
14 OR IN-SERVICE TRAINING.

15 (B) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES
16 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION:

17 "EVIDENCE-BASED" SHALL HAVE THE MEANING GIVEN IN SECTION
18 8101(21) OF THE EVERY STUDENT SUCCEEDS ACT (PUBLIC LAW 114-95,
19 129 STAT. 1802).

20 "SCHOOL EMPLOYEE" SHALL HAVE THE MEANING GIVEN TO THE TERM
21 "PROFESSIONAL EMPLOYEE" IN SECTION 1101(1).

22 "SCHOOL ENTITY" SHALL MEAN A PUBLIC SCHOOL, INCLUDING A
23 SCHOOL DISTRICT, CHARTER SCHOOL, CYBER CHARTER SCHOOL, REGIONAL
24 CHARTER SCHOOL, INTERMEDIATE UNIT OR AREA CAREER AND TECHNICAL
25 SCHOOL, A PRIVATE SCHOOL OR A NONPUBLIC SCHOOL.

26 SECTION 6. SECTION 1207.1(A)(3)(I) OF THE ACT IS AMENDED BY
27 ADDING A CLAUSE TO READ:

28 SECTION 1207.1. POSTBACCALAUREATE CERTIFICATION.--(A)
29 NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, THE
30 SECRETARY OF EDUCATION SHALL HAVE ALL OF THE FOLLOWING POWERS

1 AND DUTIES WITH REGARD TO POSTBACCALAUREATE CERTIFICATION

2 PROGRAMS:

3 * * *

4 (3) DEVELOP GUIDELINES FOR THE APPROVAL OF FLEXIBLE
5 POSTBACCALAUREATE INSTRUCTIONAL CERTIFICATION PROGRAMS. SUCH
6 PROGRAM GUIDELINES SHALL ADDRESS:

7 (I) INSTRUCTION AND TRAINING IN THE FOLLOWING:

8 * * *

9 (H) TRAUMA-INFORMED APPROACHES.

10 * * *

11 SECTION 7. SECTION 1217(A) (1) OF THE ACT IS AMENDED BY
12 ADDING A SUBPARAGRAPH TO READ:

13 SECTION 1217. PENNSYLVANIA SCHOOL LEADERSHIP STANDARDS.-- (A)
14 PROGRAMS PROVIDED UNDER SECTION 1205.5(C) AND (D) TO PREPARE
15 SCHOOL OR SYSTEM LEADERS AND FOR PURPOSES OF ISSUING
16 ADMINISTRATOR CERTIFICATES OR LETTERS OF ELIGIBILITY AND
17 APPROVED PROGRAMS FOR THE INDUCTION AND CONTINUING PROFESSIONAL
18 EDUCATION OF SCHOOL OR SYSTEM LEADERS SHALL ADDRESS:

19 (1) THE FOLLOWING CORE STANDARDS:

20 * * *

21 (IV) UNDERSTANDING THE IMPACT OF TRAUMA ON A CHILD'S
22 EDUCATIONAL EXPERIENCE, THE SCHOOL'S CULTURE, CLIMATE AND
23 DEMOGRAPHICS AND THE COMMUNITY AS A WHOLE AND APPLYING TRAUMA-
24 INFORMED APPROACHES TO INFORM DECISION-MAKING AT ALL LEVELS OF
25 THE SYSTEM.

26 * * *

27 SECTION 8. SECTION 1302-A(C) INTRODUCTORY PARAGRAPH AND (E)
28 OF THE ACT, AMENDED JUNE 22, 2018 (P.L.327, NO.44), ARE AMENDED,
29 SUBSECTION (C) IS AMENDED BY ADDING A PARAGRAPH AND THE SECTION
30 IS AMENDED BY ADDING A SUBSECTION TO READ:

1 SECTION 1302-A. OFFICE FOR SAFE SCHOOLS.--* * *

2 (C) IN ADDITION TO THE POWERS AND DUTIES SET FORTH UNDER
3 SUBSECTION (B), THE OFFICE IS AUTHORIZED TO MAKE TARGETED GRANTS
4 TO SCHOOL ENTITIES, AND TO INTERMEDIATE UNITS ON BEHALF OF
5 NONPUBLIC SCHOOLS, TO FUND PROGRAMS WHICH ADDRESS SCHOOL
6 VIOLENCE, INCLUDING:

7 * * *

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

9 * * *

10 (E) [THE] FOR ANY FISCAL YEAR PRIOR TO 2019-2020, THE SUM
11 APPROPRIATED ANNUALLY TO THE DEPARTMENT OF EDUCATION FOR THE
12 PURPOSE OF MAKING TARGETED GRANTS UNDER THIS SECTION SHALL BE
13 ALLOCATED AS FOLLOWS:

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

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

18 * * *

19 (E.2) BEGINNING IN FISCAL YEAR 2019-2020, GRANTS AWARDED
20 UNDER SUBSECTION (C.1) SHALL NOT EXCEED THE AMOUNT AWARDED IN
21 FISCAL YEAR 2018-2019 UNDER THAT SUBSECTION AND NO LESS THAN
22 \$3,200,000 SHALL BE AWARDED TO INTERMEDIATE UNITS ON BEHALF OF
23 NONPUBLIC SCHOOLS UNDER SUBSECTION (C).

24 * * *

25 SECTION 9. THE DEFINITION OF "SCHOOL ENTITY" IN SECTION
26 1301-B OF THE ACT, ADDED JUNE 22, 2018 (P.L.327, NO.44), IS
27 AMENDED AND THE SECTION IS AMENDED BY ADDING A DEFINITION TO
28 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 * * *

4 "SCHOOL ENTITY." A SCHOOL DISTRICT, INTERMEDIATE UNIT, AREA
5 [VOCATIONAL-TECHNICAL] CAREER AND TECHNICAL SCHOOL, CHARTER
6 SCHOOL, CYBER CHARTER SCHOOL, REGIONAL CHARTER SCHOOL, APPROVED
7 PRIVATE SCHOOL, CHARTERED SCHOOL FOR THE EDUCATION OF THE DEAF
8 OR THE BLIND OR PRIVATE RESIDENTIAL REHABILITATIVE INSTITUTION.

9 * * *

10 "STATE-RELATED INSTITUTION OF HIGHER EDUCATION." AS THE TERM
11 "STATE-RELATED INSTITUTION" IS DEFINED IN SECTION 1502-A.

12 SECTION 10. SECTION 1302-B(B), ADDED JUNE 22, 2018 (P.L.327,
13 NO.44), IS AMENDED TO READ:

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

15 * * *

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

18 (1) THE SECRETARY OF EDUCATION OR A DESIGNEE.

19 (2) THE ATTORNEY GENERAL OR A DESIGNEE.

20 (3) THE COMMISSIONER OF PENNSYLVANIA STATE POLICE OR A
21 DESIGNEE.

22 (4) THE DIRECTOR OF THE PENNSYLVANIA EMERGENCY
23 MANAGEMENT AGENCY OR A DESIGNEE.

24 (5) AN INDIVIDUAL APPOINTED BY THE PRESIDENT PRO TEMPORE
25 OF THE SENATE.

26 (6) AN INDIVIDUAL APPOINTED BY THE MINORITY LEADER OF
27 THE SENATE.

28 (7) AN INDIVIDUAL APPOINTED BY THE SPEAKER OF THE HOUSE
29 OF REPRESENTATIVES.

30 (8) AN INDIVIDUAL APPOINTED BY THE MINORITY LEADER OF

1 THE HOUSE OF REPRESENTATIVES.

2 (9) THE CHAIRPERSON OF THE COMMISSION OR A DESIGNEE.

3 (10) THE SECRETARY OF HUMAN SERVICES OR A DESIGNEE.

4 (11) A RECOGNIZED SUBJECT MATTER EXPERT IN STRATEGIC
5 SECURITY APPOINTED BY THE GOVERNOR FROM THREE NAMES SUBMITTED
6 JOINTLY BY THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE
7 SPEAKER OF THE HOUSE OF REPRESENTATIVES.

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

9 (I) AN INDIVIDUAL RECOMMENDED BY THE PENNSYLVANIA
10 ASSOCIATION OF SCHOOL BUSINESS OFFICIALS WITH EXPERIENCE
11 IN SCHOOL SAFETY AND SECURITY MATTERS.

12 (II) AN INDIVIDUAL RECOMMENDED BY THE PENNSYLVANIA
13 ASSOCIATION OF SCHOOL ADMINISTRATORS WITH EXPERIENCE IN
14 SCHOOL SAFETY AND SECURITY MATTERS.

15 (III) AN INDIVIDUAL MEMBER OF LOCAL LAW ENFORCEMENT
16 RECOMMENDED BY THE STATE FRATERNAL ORDER OF POLICE.

17 (IV) A CHILD PSYCHOLOGIST WHO SPECIALIZES IN MENTAL,
18 SOCIAL AND EMOTIONAL DEVELOPMENT OF CHILDREN RECOMMENDED
19 BY THE PENNSYLVANIA PSYCHOLOGICAL ASSOCIATION.

20 (V) A LICENSED CLINICAL SOCIAL WORKER RECOMMENDED BY
21 THE PENNSYLVANIA SOCIETY FOR CLINICAL SOCIAL WORK.

22 (VI) AN ARCHITECT RECOMMENDED BY THE AMERICAN
23 INSTITUTE OF ARCHITECTS OF PENNSYLVANIA WITH EXPERIENCE
24 IN SCHOOL BUILDING SAFETY AND SECURITY MATTERS.

25 (VII) AN INDIVIDUAL WHO IS A SUBJECT MATTER EXPERT
26 IN TRAUMA-INFORMED APPROACHES FROM A STATE-RELATED
27 INSTITUTION OF HIGHER EDUCATION.

28 (VIII) A SCHOOL PRINCIPAL RECOMMENDED BY THE
29 PENNSYLVANIA PRINCIPALS ASSOCIATION WITH EXPERIENCE IN
30 BEHAVIORAL HEALTH MATTERS.

1 (IX) A SCHOOL NURSE RECOMMENDED BY THE PENNSYLVANIA
2 STATE EDUCATION ASSOCIATION WITH EXPERIENCE IN BEHAVIORAL
3 HEALTH MATTERS.

4 (X) A SCHOOL DIRECTOR RECOMMENDED BY THE
5 PENNSYLVANIA SCHOOL BOARDS ASSOCIATION WITH EXPERIENCE IN
6 SCHOOL SAFETY AND SECURITY MATTERS OR BEHAVIORAL HEALTH
7 MATTERS.

8 * * *

9 SECTION 11. SECTION 1305-B(E) OF THE ACT, ADDED JUNE 22,
10 2018 (P.L.327, NO.44), IS AMENDED AND THE SECTION IS AMENDED BY
11 ADDING A SUBSECTION TO READ:

12 SECTION 1305-B. SURVEY OF SCHOOL SAFETY AND SECURITY.

13 * * *

14 (E) CONFIDENTIALITY OF DATA.--ANY SCHOOL ENTITY-SPECIFIC
15 DATA COLLECTED THROUGH THE SURVEY INSTRUMENT BY THE COMMITTEE
16 AND THE FINDINGS OF THE COMMITTEE SHALL REMAIN CONFIDENTIAL AND
17 SHALL NOT BE SUBJECT TO THE ACT OF FEBRUARY 14, 2008 (P.L.6,
18 NO.3), KNOWN AS THE RIGHT-TO-KNOW LAW. THE COMMITTEE MAY RELEASE
19 AGGREGATE DATA AT ITS DISCRETION.

20 (F) SURVEY ADMINISTRATION.--THE COMMITTEE SHALL ADMINISTER
21 THE SURVEY INSTRUMENT ESTABLISHED IN SUBSECTION (A) AT A MINIMUM
22 EVERY TWO YEARS AND MAY MAKE REVISIONS AS NEEDED.

23 SECTION 12. SECTION 1306-B(D), (F), (G), (H)(6), (I) AND (L)
24 OF THE ACT, ADDED JUNE 22, 2018 (P.L.327, NO.44), ARE AMENDED,
25 SUBSECTION (J) IS AMENDED BY ADDING A PARAGRAPH AND THE SECTION
26 IS AMENDED BY ADDING SUBSECTIONS TO READ:

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

28 * * *

29 (D) SUPPLEMENT AND NOT SUPPLANT.--GRANT MONEY ALLOCATED
30 THROUGH THE PROGRAM SHALL BE USED TO SUPPLEMENT AND NOT SUPPLANT

1 EXISTING SCHOOL ENTITY SPENDING ON SCHOOL SAFETY AND SECURITY.
2 NOTHING SHALL PRECLUDE A SCHOOL ENTITY FROM MAKING AN
3 APPLICATION IN A SUBSEQUENT YEAR FOR THE SAME PURPOSE AND AMOUNT
4 AWARDED IN A PRIOR YEAR.

5 * * *

6 (F) MINIMUM ALLOCATION.--EACH SCHOOL DISTRICT THAT MAKES A
7 MERITORIOUS APPLICATION AS PRESCRIBED BY THE COMMITTEE UNDER
8 SUBSECTION (J) SHALL RECEIVE A MINIMUM GRANT ALLOCATION [OF
9 \$25,000 ANNUALLY.] AS FOLLOWS:

10 (1) A SCHOOL DISTRICT WITH AN AVERAGE DAILY MEMBERSHIP
11 GREATER THAN 3,900 SHALL RECEIVE A MINIMUM GRANT ALLOCATION
12 OF \$45,000.

13 (2) A SCHOOL DISTRICT WITH AN AVERAGE DAILY MEMBERSHIP
14 GREATER THAN 2,100 BUT LESS THAN OR EQUAL TO 3,900 SHALL
15 RECEIVE A MINIMUM GRANT ALLOCATION OF \$40,000.

16 (3) A SCHOOL DISTRICT WITH AN AVERAGE DAILY MEMBERSHIP
17 GREATER THAN 1,200 BUT LESS THAN OR EQUAL TO 2,100 SHALL
18 RECEIVE A MINIMUM GRANT ALLOCATION OF \$35,000.

19 (4) A SCHOOL DISTRICT WITH AN AVERAGE DAILY MEMBERSHIP
20 OF LESS THAN OR EQUAL TO 1,200 SHALL RECEIVE A MINIMUM GRANT
21 ALLOCATION OF \$30,000.

22 (G) [LIMITATION] LIMITATIONS.--

23 (1) EACH SCHOOL ENTITY MAY [SUBMIT ONE] MAKE APPLICATION
24 ANNUALLY AND NO SCHOOL ENTITY MAY RECEIVE AN ANNUAL GRANT
25 ALLOCATION THAT EXCEEDS [10%] THE MINIMUM ALLOCATION IN
26 SUBSECTION (F) PLUS \$450,000, EXCEPT A SCHOOL DISTRICT OF THE
27 FIRST CLASS, WHICH MAY NOT RECEIVE AN ANNUAL GRANT ALLOCATION
28 THAT EXCEEDS 7% OF THE FUNDS AVAILABLE UNDER THE GRANT
29 PROGRAM[.], AND A SCHOOL DISTRICT OF THE FIRST CLASS A, WHICH
30 MAY NOT RECEIVE A GRANT ALLOCATION THAT EXCEEDS 3% OF THE

1 FUNDS AVAILABLE UNDER THE GRANT PROGRAM.

2 (2) GRANT ALLOCATIONS AWARDED TO A CYBER CHARTER SCHOOL
3 SHALL BE LIMITED TO THE SAFETY AND SECURITY NEEDS OF STUDENTS
4 AT FACILITIES WHERE TUTORING, TESTING, SUPPLEMENTAL PROGRAMS
5 AND SERVICES OR INSTRUCTION FOR STUDENTS WITH DISABILITIES
6 OCCUR.

7 (G.1) WHOLE OR PARTIAL AWARDS.--THE COMMITTEE, IN ITS
8 DISCRETION, MAY AWARD IN WHOLE OR IN PART A REQUEST MADE BY A
9 SCHOOL ENTITY IN ITS GRANT APPLICATION BASED UPON THE MERIT OF A
10 SPECIFIC ITEM REQUESTED.

11 (G.2) SUSTAINABILITY PLANNING.--SUSTAINABILITY PLANNING IS
12 NOT A NECESSARY COMPONENT OF AN APPLICATION UNDER THIS SECTION.

13 (G.3) CONFIDENTIALITY.--INFORMATION SUBMITTED BY SCHOOL
14 ENTITIES AS PART OF THE GRANT APPLICATION, THE DISCLOSURE OF
15 WHICH WOULD BE REASONABLY LIKELY TO RESULT IN A SUBSTANTIAL AND
16 DEMONSTRABLE RISK OF PHYSICAL HARM OR THE PERSONAL SECURITY OF
17 STUDENTS OR STAFF SHALL REMAIN CONFIDENTIAL AND SHALL NOT BE
18 SUBJECT TO THE ACT OF FEBRUARY 14, 2008 (P.L.6, NO.3), KNOWN AS
19 THE RIGHT-TO-KNOW LAW. THE COMMITTEE MAY RELEASE AGGREGATE DATA
20 AT ITS DISCRETION.

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

22 * * *

23 (6) [MONEY FROM THE FUND SHALL BE ALLOCATED FOR THE
24 PURPOSE OF MAKING GRANTS] GRANTS UNDER THIS SECTION SHALL BE
25 AWARDED NO LATER THAN [OCTOBER 31, 2019, AND EACH OCTOBER 31]
26 MARCH 1, 2020, AND EACH MARCH 1 THEREAFTER.

27 * * *

28 (I) COMMUNITY VIOLENCE PREVENTION PROGRAMS.--

29 (1) [FOR THE PURPOSE OF SUBSECTION (J) (22),
30 MUNICIPALITIES] MUNICIPALITIES, INSTITUTIONS OF HIGHER

1 EDUCATION, COMMUNITY-BASED ORGANIZATIONS AND OTHER ENTITIES
2 APPROVED BY THE COMMITTEE [SHALL BE DEEMED SCHOOL ENTITIES]
3 ARE THE ONLY ELIGIBLE APPLICANTS UNDER SUBSECTION (J) (22).

4 (2) (RESERVED).

5 * * *

6 (J) SPECIFIC PURPOSES.--THE COMMITTEE SHALL PROVIDE GRANTS
7 TO SCHOOL ENTITIES FOR PROGRAMS THAT ADDRESS SAFETY AND
8 SECURITY, INCLUDING:

9 * * *

10 (23) THE IMPLEMENTATION OF ARTICLE XIII-E.

11 (J.1) PRIORITIZATION OF GRANTS.--

12 (1) THE COMMITTEE MAY IN ITS DISCRETION UTILIZE THE
13 INFORMATION OBTAINED FROM THE MOST RECENT SURVEY INSTRUMENT
14 COMPLETED BY A SCHOOL ENTITY UNDER SECTION 1305-B AND TRENDS
15 IN APPLICATIONS FROM THE PRIOR YEAR TO PRIORITIZE THE
16 ALLOCATION OF GRANTS FROM AMONG THE SPECIFIC PURPOSES
17 ENUMERATED IN SUBSECTION (J).

18 (2) IF THE COMMISSION CHOOSES TO PRIORITIZE THE
19 ALLOCATION OF GRANTS, IT SHALL PROVIDE GUIDANCE IN THE
20 FUNDING ANNOUNCEMENT DETAILING THE SPECIFIC PURPOSES
21 ENUMERATED UNDER SUBSECTION (J) WHICH IT INTENDS TO
22 PRIORITIZE WHEN MAKING GRANT AWARDS.

23 (J.2) TRAINING.--THE COMMITTEE SHALL CONDUCT INFORMATIONAL
24 TRAINING FOR APPLICANTS OUTLINING THE GRANT PRIORITIES AND
25 COMPLETION OF APPLICATIONS.

26 * * *

27 (L) AUDITS.--

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

1 (2) THE AUDITOR GENERAL SHALL NOT PERFORM AUDITS RELATED
2 TO SCHOOL SAFETY AND SECURITY ASSESSMENTS, SURVEY INSTRUMENTS
3 AND GRANT APPLICATIONS.

4 SECTION 13. SECTION 1307-B(A) AND (D) OF THE ACT, ADDED JUNE
5 22, 2018 (P.L.327, NO.44), ARE AMENDED AND THE SECTION IS
6 AMENDED BY ADDING A SUBSECTION TO READ:

7 SECTION 1307-B. RISK AND VULNERABILITY ASSESSMENT TEAMS.

8 (A) ESTABLISHMENT.--FROM EXISTING APPROPRIATIONS, NO LATER
9 THAN MARCH 31, 2019, THE PENNSYLVANIA STATE POLICE SHALL
10 ESTABLISH [~~THREE~~] SIX RISK AND VULNERABILITY ASSESSMENT TEAMS TO
11 OPERATE WITHIN [~~THREE~~] SIX REGIONS GEOGRAPHICALLY DESIGNATED BY
12 THE PENNSYLVANIA STATE POLICE IN CONSULTATION WITH THE
13 COMMITTEE. EACH RISK AND VULNERABILITY ASSESSMENT TEAM SHALL BE
14 COMPRISED OF NO FEWER THAN THREE TROOPERS.

15 * * *

16 (D) REPORTS.--EACH RISK AND VULNERABILITY ASSESSMENT TEAM
17 SHALL [~~ANNUALLY~~] REPORT TO THE COMMITTEE ANNUALLY BEGINNING JULY
18 15, 2019, AND JULY 15 OF EACH YEAR THEREAFTER, THE FOLLOWING:

19 (1) THE SCHOOL ENTITIES WHERE THE RISK AND VULNERABILITY
20 ASSESSMENT TEAM HAS CONDUCTED A SCHOOL SAFETY AND SECURITY
21 ASSESSMENT.

22 (2) CRITICAL SCHOOL ENTITY SAFETY AND SECURITY NEEDS
23 IDENTIFIED THROUGH SAFETY AND SECURITY ASSESSMENTS.

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

28 (F) REPORTS TO GOVERNOR AND GENERAL ASSEMBLY.--THE
29 COMMISSIONER OF PENNSYLVANIA STATE POLICE SHALL PROVIDE A REPORT
30 TO THE GOVERNOR AND THE GENERAL ASSEMBLY NO LATER THAN JULY 15,

1 2019, AND JULY 15 OF EACH YEAR THEREAFTER, DETAILING THE WORK OF
2 EACH RISK AND VULNERABILITY ASSESSMENT TEAM. THE REPORT SHALL,
3 AT A MINIMUM, INCLUDE A DESCRIPTION OF THE GEOGRAPHICAL REGIONS
4 SERVED BY EACH RISK AND VULNERABILITY ASSESSMENT TEAM AND THE
5 NUMBER OF RISK AND VULNERABILITY ASSESSMENTS CONDUCTED IN TOTAL
6 AND BY EACH TEAM DURING THE PRIOR FISCAL YEAR. THE REPORT, UPON
7 ITS SUBMISSION, SHALL BE POSTED ON THE HOME PAGE OF THE
8 PENNSYLVANIA STATE POLICE'S PUBLICLY ACCESSIBLE INTERNET
9 WEBSITE.

10 SECTION 14. SECTIONS 1309-B(C) (2) AND 1310-B OF THE ACT,
11 ADDED JUNE 22, 2018 (P.L.327, NO.44), ARE AMENDED TO READ:
12 SECTION 1309-B. SCHOOL SAFETY AND SECURITY COORDINATOR.

13 * * *

14 (C) SPECIFIC DUTIES.--THE SCHOOL SAFETY AND SECURITY
15 COORDINATOR SHALL:

16 * * *

17 (2) COORDINATE TRAINING AND RESOURCES FOR STUDENTS AND
18 SCHOOL ENTITY STAFF IN MATTERS RELATING TO SITUATIONAL
19 AWARENESS, TRAUMA-INFORMED [EDUCATION AWARENESS] APPROACHES,
20 BEHAVIORAL HEALTH AWARENESS, SUICIDE AND BULLYING AWARENESS,
21 SUBSTANCE ABUSE AWARENESS AND EMERGENCY PROCEDURES AND
22 TRAINING DRILLS, INCLUDING FIRE, NATURAL DISASTER, ACTIVE
23 SHOOTER, HOSTAGE SITUATION AND BOMB THREAT.

24 * * *

25 SECTION 1310-B. SCHOOL SAFETY AND SECURITY TRAINING.

26 SCHOOL ENTITIES SHALL PROVIDE THEIR EMPLOYEES WITH MANDATORY
27 TRAINING ON SCHOOL SAFETY AND SECURITY SUBJECT TO THE FOLLOWING
28 BASED ON THE NEEDS OF THE SCHOOL ENTITY:

29 (1) TRAINING SHALL ADDRESS ANY COMBINATION OF ONE OR
30 MORE OF THE FOLLOWING, BASED ON THE NEEDS OF THE SCHOOL

1 ENTITY:

2 (I) SITUATIONAL AWARENESS.

3 (II) TRAUMA-INFORMED [EDUCATION AWARENESS]

4 APPROACHES.

5 (III) BEHAVIORAL HEALTH AWARENESS.

6 (IV) SUICIDE AND BULLYING AWARENESS.

7 (V) SUBSTANCE USE AWARENESS.

8 (VI) EMERGENCY TRAINING DRILLS, INCLUDING FIRE,
9 NATURAL DISASTER, ACTIVE SHOOTER, HOSTAGE SITUATION AND
10 BOMB THREAT.

11 (VII) IDENTIFICATION OR RECOGNITION OF STUDENT
12 BEHAVIOR THAT MAY INDICATE A THREAT TO THE SAFETY OF THE
13 STUDENT, OTHER STUDENTS, SCHOOL EMPLOYEES, SCHOOL
14 FACILITIES, THE COMMUNITY OR OTHERS.

15 (2) TRAINING MAY BE PROVIDED THROUGH THE INTERNET OR
16 OTHER DISTANCE COMMUNICATION SYSTEMS.

17 (3) EMPLOYEES SHALL COMPLETE A MINIMUM OF THREE HOURS OF
18 TRAINING EVERY FIVE YEARS.

19 (4) EMPLOYEES REQUIRED TO UNDERGO CONTINUING
20 PROFESSIONAL EDUCATION UNDER SECTION 1205.2 SHALL RECEIVE
21 CREDIT TOWARD THEIR CONTINUING PROFESSIONAL EDUCATION
22 REQUIREMENTS IF THE TRAINING PROGRAM HAS BEEN APPROVED BY THE
23 DEPARTMENT IN CONSULTATION WITH THE COMMITTEE.

24 SECTION 15. THE ACT IS AMENDED BY ADDING A SECTION TO READ:
25 SECTION 1311-B. TRAUMA-INFORMED APPROACH.

26 NO LATER THAN AUGUST 31, 2019, THE COMMITTEE SHALL DEVELOP A
27 MODEL TRAUMA-INFORMED APPROACH PLAN THAT SHALL BE USED BY A
28 SCHOOL ENTITY APPLYING FOR A GRANT UNDER SECTION 1306-B(J) (21).
29 THE PLAN MUST INCLUDE THE FOLLOWING:

30 (1) DESIGNATION OF AT LEAST ONE INDIVIDUAL WHO:

1 (I) IS ASSIGNED TO THE SCHOOL;

2 (II) OVERSEES THE IMPLEMENTATION OF THE PLAN,
3 INTEGRATING THE COORDINATION OF SERVICES AND PROFESSIONAL
4 DEVELOPMENT INTO THE SCHOOL ENTITY'S COMPREHENSIVE PLAN;

5 AND

6 (III) SERVES AS A MEMBER OF A SCHOOL'S STUDENT
7 ASSISTANCE PROGRAM.

8 (2) COORDINATION OF SERVICES AMONG:

9 (I) THE STUDENT AND THE STUDENT'S FAMILY;

10 (II) THE SCHOOL; AND

11 (III) COUNTY-BASED SERVICES, COMMUNITY CARE
12 ORGANIZATIONS, PUBLIC HEALTH ENTITIES, NONPROFIT YOUTH
13 SERVICE PROVIDERS, COMMUNITY-BASED ORGANIZATIONS,
14 ORGANIZATIONS THAT PROVIDE BEFORE OR AFTER-SCHOOL CARE
15 AND OTHER SIMILAR GROUPS THAT ARE LOCATED IN THE
16 COMMUNITY.

17 (3) INDICATION OF HOW COORDINATED SERVICES ARE PROVIDED
18 BASED ON A TRAUMA-INFORMED APPROACH WITH AN UNDERSTANDING,
19 RECOGNITION AND RESPONSIVENESS TO THE EFFECTS OF TRAUMA ON
20 EDUCATION, ABSENTEEISM AND SCHOOL COMPLETION, INCLUDING THE
21 SECONDARY IMPACT OF TRAUMA ON SCHOOL EMPLOYEES.

22 (4) UTILIZATION OF EVIDENCE-BASED OR EVIDENCE-INFORMED
23 APPROACHES THAT ARE TAILORED TO THE COMMUNITY TO ENSURE THAT
24 DATA IS COLLECTED AND THE EFFECTIVENESS OF THE TRAUMA-
25 INFORMED APPROACHES ARE DETERMINED.

26 (5) PROFESSIONAL DEVELOPMENT AND SUPPORT FOR SCHOOL
27 STAFF WHICH FOSTERS A CULTURE IN THE SCHOOL ENTITY AND
28 COMMUNITY THAT IS INFORMED ABOUT HOW TO UNDERSTAND, RECOGNIZE
29 AND RESPOND TO TRAUMA AND ADDRESS THE IMPACT OF TRAUMA ON
30 STUDENTS AS A SECONDARY IMPACT ON SCHOOL EMPLOYEES.

1 SECTION 16. SECTIONS 1306-D(A), (B) AND (C) AND 1307-D(B) (5)
2 OF THE ACT, ADDED JUNE 22, 2018 (P.L.327, NO.44), ARE AMENDED TO
3 READ:

4 SECTION 1306-D. JUDICIAL PROCEEDING.

5 (A) ~~[GENERAL RULE.--]~~ PROTECTION OF RECORDS.--

6 (1) A PERSON IMPLEMENTING, OPERATING OR WORKING FOR THE
7 PROGRAM MAY NOT BE COMPELLED TO PRODUCE A RECORD EXCEPT
8 PURSUANT TO A COURT ORDER.

9 (2) THE COMMONWEALTH [OR A CRIMINAL DEFENDANT] MAY FILE
10 A MOTION OR AN APPLICATION FOR A SEARCH WARRANT AND AN
11 AUTHORIZATION WITH THE COURT FOR RELEASE OF THE RECORD. THE
12 MOTION OR AN APPLICATION FOR A SEARCH WARRANT AND AN
13 AUTHORIZATION SHALL BE ACCOMPANIED BY AN AFFIDAVIT
14 ESTABLISHING WHY THE RECORD SHOULD BE PRODUCED.

15 (3) A CRIMINAL DEFENDANT MAY FILE A MOTION WITH THE
16 COURT FOR RELEASE OF THE RECORD. THE MOTION SHALL BE
17 ACCOMPANIED BY AN AFFIDAVIT ESTABLISHING WHY THE RECORD
18 SHOULD BE PRODUCED.

19 (4) A COPY OF ANY APPLICATION OR MOTION FILED UNDER THIS
20 SECTION SHALL BE SERVED ON THE OFFICE OF ATTORNEY GENERAL.

21 (B) IN CAMERA REVIEW.--~~[UPON THE COMMONWEALTH'S OR CRIMINAL~~
22 ~~DEFENDANT'S MOTION UNDER SUBSECTION (A), THE]~~ THE COURT [SHALL]
23 MAY CONDUCT AN IN CAMERA REVIEW OF THE RECORD REQUESTED TO BE
24 PRODUCED UNDER THE MOTION OF THE COMMONWEALTH OR A CRIMINAL
25 DEFENDANT.

26 (C) DECISION BY COURT.--~~[AFTER A REVIEW OF THE RECORD UNDER~~
27 ~~SUBSECTION (B), IF]~~ IF THE COURT DETERMINES THAT THE RECORD
28 REQUESTED UNDER SUBSECTION (A) SHOULD BE RELEASED, THE COURT
29 [MAY] SHALL ORDER THE RECORD TO BE PRODUCED [TO THE COMMONWEALTH
30 AND CRIMINAL DEFENDANT PURSUANT TO A PROTECTIVE ORDER THAT

1 INCLUDES:] . THE COURT'S ORDER MAY REQUIRE:

2 (1) THE REDACTION OF THE IDENTITY OF THE INDIVIDUAL WHO
3 MADE THE REPORT; AND

4 (2) LIMITATIONS, IF ANY, ON THE USE OF THE MATERIALS.

5 * * *

6 SECTION 1307-D. ANNUAL REPORT.

7 * * *

8 (B) CONTENTS OF REPORT.--THE REPORT SHALL, AT A MINIMUM,
9 INCLUDE:

10 * * *

11 (5) A BREAKDOWN OF [THE REPORT BY SCHOOL ENTITY] REPORTS
12 BY INTERMEDIATE UNITS UTILIZING ONLY AGGREGATE DATA.

13 * * *

14 SECTION 17. THE ACT IS AMENDED BY ADDING AN ARTICLE TO READ:

15 ARTICLE XIII-E

16 THREAT ASSESSMENT

17 SECTION 1301-E. DEFINITIONS.

18 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE
19 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
20 CONTEXT CLEARLY INDICATES OTHERWISE:

21 "BEHAVIORAL SERVICE PROVIDERS." THE TERM INCLUDES, BUT IS
22 NOT LIMITED TO, A STATE, COUNTY OR LOCAL BEHAVIORAL HEALTH
23 SERVICE PROVIDER, CRISIS INTERVENTION CENTER OR PSYCHIATRIC
24 HOSPITAL. THE TERM INCLUDES A PRIVATE SERVICE PROVIDER WHICH
25 CONTRACTS WITH A STATE, COUNTY OR LOCAL GOVERNMENT TO ACT AS A
26 BEHAVIORAL HEALTH AGENCY.

27 "CHIEF SCHOOL ADMINISTRATOR." A SUPERINTENDENT OF A SCHOOL
28 DISTRICT, EXECUTIVE DIRECTOR OF AN INTERMEDIATE UNIT,
29 ADMINISTRATIVE DIRECTOR OF AN AREA CAREER AND TECHNICAL SCHOOL
30 OR CHIEF EXECUTIVE OFFICER OF A CHARTER SCHOOL, REGIONAL CHARTER

1 SCHOOL OR CYBER CHARTER SCHOOL.

2 "COMMITTEE." THE SCHOOL SAFETY AND SECURITY COMMITTEE
3 ESTABLISHED UNDER SECTION 1302-B.

4 "COUNTY AGENCY." THE TERM INCLUDES, BUT IS NOT LIMITED TO, A
5 COUNTY CHILDREN AND YOUTH AGENCY, DRUG AND ALCOHOL SERVICE
6 AGENCY, BEHAVIORAL OR MENTAL HEALTH AGENCY OR OTHER HUMAN OR
7 SOCIAL SERVICES AGENCY.

8 "LAW ENFORCEMENT AGENCY." AS DEFINED IN SECTION 1302-D.

9 "SAFE2SAY PROGRAM." THE SAFE2SAY PROGRAM ESTABLISHED UNDER
10 ARTICLE XIII-D.

11 "SCHOOL ENTITY." A SCHOOL DISTRICT, INTERMEDIATE UNIT, AREA
12 CAREER AND TECHNICAL SCHOOL, CHARTER SCHOOL, REGIONAL CHARTER
13 SCHOOL OR CYBER CHARTER SCHOOL.

14 "SCHOOL SECURITY PERSONNEL." A SCHOOL POLICE OFFICER, SCHOOL
15 RESOURCE OFFICER OR SCHOOL SECURITY GUARD APPOINTED OR EMPLOYED
16 UNDER ARTICLE XIII-C.

17 "STUDENT ASSISTANCE PROGRAM." AS DEFINED IN 22 PA. CODE §
18 12.16 (RELATING TO DEFINITIONS).

19 "TEAM." A THREAT ASSESSMENT TEAM ESTABLISHED BY A SCHOOL
20 ENTITY UNDER SECTION 1302-E(A).

21 SECTION 1302-E. THREAT ASSESSMENT TEAMS.

22 (A) DUTIES OF SCHOOL ENTITIES AND CHIEF SCHOOL
23 ADMINISTRATORS.--THE FOLLOWING SHALL APPLY:

24 (1) EACH SCHOOL ENTITY SHALL ESTABLISH AT LEAST ONE TEAM
25 AS PROVIDED UNDER SUBSECTION (B) FOR THE ASSESSMENT OF AND
26 INTERVENTION WITH STUDENTS WHOSE BEHAVIOR MAY INDICATE A
27 THREAT TO THE SAFETY OF THE STUDENT, OTHER STUDENTS, SCHOOL
28 EMPLOYEES, SCHOOL FACILITIES, THE COMMUNITY OR OTHERS.

29 (2) EACH CHIEF SCHOOL ADMINISTRATOR OR A DESIGNEE, AFTER
30 CONSULTATION WITH THE SCHOOL ENTITY'S SAFETY AND SECURITY

1 COORDINATOR, SHALL:

2 (I) APPOINT THE MEMBERS OF THE TEAM AND DESIGNATE A
3 MEMBER TO SERVE AS TEAM LEADER.

4 (II) ENSURE AND ESTABLISH PROCEDURES FOR THE
5 IMPLEMENTATION OF THIS SECTION.

6 (III) FACILITATE OPPORTUNITIES FOR MEMBERS OF THE
7 TEAM TO COMPLETE GROUP OR INDIVIDUAL TRAINING CONSISTENT
8 WITH NATIONALLY RECOGNIZED BEST PRACTICES DURING PAID
9 WORKING HOURS OR AS IN-SERVICE TRAINING.

10 (IV) ENSURE THAT STUDENTS, SCHOOL EMPLOYEES AND
11 PARENTS AND GUARDIANS ARE INFORMED OF THE EXISTENCE AND
12 PURPOSE OF THE TEAM. THE INFORMATION UNDER THIS
13 SUBPARAGRAPH SHALL BE POSTED ON THE SCHOOL ENTITY'S
14 PUBLICLY ACCESSIBLE INTERNET WEBSITE.

15 (V) ANNUALLY DEVELOP AND PRESENT TO THE SCHOOL
16 ENTITY'S BOARD OF DIRECTORS AT AN EXECUTIVE SESSION A
17 REPORT GENERALLY OUTLINING THE SCHOOL ENTITY'S APPROACH
18 TO THREAT ASSESSMENT. THE REPORT SHALL ALSO BE SUBMITTED
19 TO THE SCHOOL ENTITY'S SCHOOL SAFETY AND SECURITY
20 COORDINATOR FOR INCLUSION IN THE REQUIRED REPORT UNDER
21 SECTION 1309-B(C) (5) TO THE COMMITTEE, WHICH SHALL
22 INCLUDE:

23 (A) A VERIFICATION THAT THE SCHOOL ENTITY IS IN
24 COMPLIANCE WITH THIS ARTICLE.

25 (B) THE NUMBER AND COMPOSITION OF ESTABLISHED
26 TEAMS.

27 (C) THE TOTAL NUMBER OF THREATS ASSESSED IN THE
28 SCHOOL ENTITY.

29 (D) ANY ADDITIONAL INFORMATION DETERMINED BY THE
30 CHIEF SCHOOL ADMINISTRATOR OR DESIGNEE.

1 (VI) ANNUALLY PRESENT TO THE SCHOOL ENTITY'S BOARD
2 OF DIRECTORS AT AN EXECUTIVE SESSION THE FOLLOWING:

3 (A) A SUMMARY OF INTERACTIONS WITH OUTSIDE LAW
4 ENFORCEMENT, JUVENILE PROBATION AND BEHAVIORAL
5 SERVICE PROVIDERS.

6 (B) AN ASSESSMENT OF THE OPERATION OF THE SCHOOL
7 ENTITY'S TEAMS.

8 (C) RECOMMENDATIONS FOR IMPROVEMENT OF THE
9 SCHOOL ENTITY'S THREAT ASSESSMENT PROCESSES.

10 (D) ANY ADDITIONAL INFORMATION DETERMINED BY THE
11 CHIEF SCHOOL ADMINISTRATOR OR DESIGNEE.

12 (B) TEAM REQUIREMENTS.--THE FOLLOWING SHALL APPLY TO TEAMS
13 ESTABLISHED UNDER SUBSECTION (A):

14 (1) EACH TEAM SHALL:

15 (I) INCLUDE INDIVIDUALS WITH EXPERTISE IN:

16 (A) SCHOOL HEALTH.

17 (B) COUNSELING, SCHOOL PSYCHOLOGY, OR SOCIAL
18 WORK.

19 (C) SPECIAL EDUCATION.

20 (D) SCHOOL ADMINISTRATION.

21 (II) INCLUDE:

22 (A) THE SCHOOL SAFETY AND SECURITY COORDINATOR
23 APPOINTED UNDER SECTION 1309-B OR A DESIGNEE.

24 (B) OTHER SCHOOL STAFF OR COMMUNITY RESOURCES
25 WHO MAY SERVE AS REGULAR TEAM MEMBERS OR BE CONSULTED
26 DURING THE THREAT ASSESSMENT PROCESS, AS APPROPRIATE,
27 AND AS DETERMINED NECESSARY BY THE TEAM, INCLUDING:

28 (I) SCHOOL SECURITY PERSONNEL.

29 (II) LAW ENFORCEMENT AGENCY REPRESENTATION.

30 (III) BEHAVIORAL HEALTH PROFESSIONALS.

1 (IV) THE INDIVIDUAL IDENTIFIED BY THE SCHOOL
2 ENTITY TO RECEIVE REPORTS FROM THE SAFE2SAY
3 PROGRAM.

4 (V) AN INDIVIDUAL WHO SERVES ON THE STUDENT
5 ASSISTANCE PROGRAM.

6 (VI) JUVENILE PROBATION PROFESSIONALS.

7 (III) HAVE A DESIGNATED LEADER.

8 (IV) BE RESPONSIBLE, AT A MINIMUM, FOR THE

9 FOLLOWING:

10 (A) MAKING AGE-APPROPRIATE INFORMATIONAL
11 MATERIALS AVAILABLE TO STUDENTS REGARDING RECOGNITION
12 OF THREATENING OR AT-RISK BEHAVIOR THAT MAY PRESENT A
13 THREAT TO THE STUDENT, OTHER STUDENTS, SCHOOL
14 EMPLOYEES, SCHOOL FACILITIES, THE COMMUNITY OR OTHERS
15 AND HOW TO REPORT THEIR CONCERNS, INCLUDING THROUGH
16 THE SAFE2SAY PROGRAM.

17 (B) MAKING INFORMATIONAL MATERIALS AVAILABLE TO
18 SCHOOL EMPLOYEES REGARDING RECOGNITION OF THREATENING
19 OR AT-RISK BEHAVIOR THAT MAY PRESENT A THREAT TO THE
20 STUDENT, OTHER STUDENTS, SCHOOL EMPLOYEES, SCHOOL
21 FACILITIES, THE COMMUNITY OR OTHERS AND HOW TO REPORT
22 THEIR CONCERNS, INCLUDING THROUGH THE SAFE2SAY
23 PROGRAM.

24 (C) ENSURING THAT SCHOOL EMPLOYEES ARE AWARE OF
25 THE STAFF MEMBERS WHO ARE APPOINTED TO THE TEAM AND
26 HOW TO REPORT THREATENING OR AT-RISK BEHAVIOR,
27 INCLUDING THROUGH THE SAFE2SAY PROGRAM.

28 (D) ASSISTING IN ASSESSING AND RESPONDING TO
29 REPORTS RECEIVED THROUGH THE SAFE2SAY PROGRAM. WHERE
30 A SCHOOL ENTITY HAS ONLY ONE TEAM, THAT TEAM MAY ALSO

1 SERVE AS THE SCHOOL ENTITY'S TEAM FOR ASSESSING AND
2 RESPONDING TO REPORTS RECEIVED THROUGH THE SAFE2SAY
3 PROGRAM.

4 (E) ASSESSING AND RESPONDING TO REPORTS OF
5 STUDENTS EXHIBITING SELF-HARM OR SUICIDE RISK FACTORS
6 OR WARNING SIGNS AS PROVIDED FOR UNDER SECTION 1526.

7 (F) ASSESSING, RESPONDING AND MAKING APPROPRIATE
8 DETERMINATIONS AND REFERRALS UNDER SUBSECTION (C)
9 BASED ON THE INFORMATION AVAILABLE TO THE TEAM. THE
10 TEAM, WHEN APPROPRIATE, MAY COORDINATE WITH THE
11 STUDENT ASSISTANCE PROGRAM.

12 (G) PROVIDING REQUIRED INFORMATION TO THE CHIEF
13 SCHOOL ADMINISTRATOR OR DESIGNEE TO MAKE THE REPORT
14 PROVIDED FOR UNDER SUBSECTION (A) (2) (V) .

15 (V) ENSURE THAT PARENTS AND GUARDIANS ARE NOTIFIED
16 AS PROVIDED UNDER SUBSECTION (C) .

17 (VI) UNDERGO TRAINING WHICH SHALL ADDRESS, AT A
18 MINIMUM, THE FOLLOWING:

19 (A) RESPONSIBILITIES OF TEAM MEMBERS.

20 (B) THE PROCESS OF IDENTIFYING, REPORTING,
21 ASSESSING, RESPONDING TO AND INTERVENING WITH
22 THREATS, INCLUDING IDENTIFYING AND AVOIDING RACIAL,
23 CULTURAL OR DISABILITY BIAS.

24 (C) CONFIDENTIALITY REQUIREMENTS UNDER FEDERAL
25 AND STATE LAW.

26 (2) THE TRAINING REQUIRED UNDER THIS SECTION SHALL BE
27 CREDITED TOWARD A PROFESSIONAL EDUCATOR'S CONTINUING
28 PROFESSIONAL EDUCATION REQUIREMENT UNDER SECTION 1205.2, ANY
29 STAFF DEVELOPMENT REQUIREMENTS FOR PARAPROFESSIONALS UNDER 22
30 PA. CODE § 14.105 (RELATING TO PERSONNEL), A SCHOOL OR SYSTEM

1 LEADER'S CONTINUING PROFESSIONAL EDUCATION REQUIREMENT UNDER
2 SECTION 1205.5 AND THE SCHOOL SAFETY AND SECURITY TRAINING
3 REQUIRED UNDER SECTION 1310-B.

4 (3) A SCHOOL ENTITY MAY SATISFY THE REQUIREMENTS OF
5 SUBSECTION (A) (1) BY ASSIGNING THE DUTIES LISTED UNDER
6 PARAGRAPH (1) TO AN EXISTING TEAM ESTABLISHED BY THE SCHOOL
7 ENTITY. FOR PURPOSES OF THIS PARAGRAPH, THE EXISTING TEAM
8 ESTABLISHED MAY INCLUDE, BUT IS NOT LIMITED TO, THE STUDENT
9 ASSISTANCE PROGRAM.

10 (4) A TEAM ESTABLISHED BY A SCHOOL ENTITY MAY SERVE ONE
11 OR MORE SCHOOLS WITHIN THE SCHOOL ENTITY.

12 (C) NOTIFICATION AND REFERRAL.--UPON A PRELIMINARY
13 DETERMINATION THAT A STUDENT'S BEHAVIOR MAY INDICATE A THREAT TO
14 THE SAFETY OF THE STUDENT, OTHER STUDENTS, SCHOOL EMPLOYEES,
15 SCHOOL FACILITIES, THE COMMUNITY OR OTHERS, THE FOLLOWING SHALL
16 APPLY:

17 (1) THE TEAM SHALL IMMEDIATELY NOTIFY THE CHIEF SCHOOL
18 ADMINISTRATOR OR A DESIGNEE, THE STUDENT'S BUILDING PRINCIPAL
19 AND THE SCHOOL SAFETY AND SECURITY COORDINATOR. THE BUILDING
20 PRINCIPAL OR DESIGNEE SHALL THEN IMMEDIATELY NOTIFY THE
21 STUDENT'S PARENT OR GUARDIAN.

22 (2) FOLLOWING NOTIFICATION OF THE PARENT OR GUARDIAN,
23 THE TEAM MAY REFER THE STUDENT, AS APPROPRIATE, TO:

24 (I) A STUDENT ASSISTANCE PROGRAM;

25 (II) A LAW ENFORCEMENT AGENCY;

26 (III) AN EVALUATION UNDER THE INDIVIDUALS WITH
27 DISABILITIES EDUCATION ACT (PUBLIC LAW 91-230, 20 U.S.C.
28 § 1400 ET SEQ.) OR SECTION 504 OF THE REHABILITATION ACT
29 OF 1973 (PUBLIC LAW 93-112, 29 U.S.C. § 701 ET SEQ.);

30 (IV) A STUDENT'S EXISTING INDIVIDUALIZED EDUCATION

1 PROGRAM TEAM ESTABLISHED UNDER THE INDIVIDUALS WITH
2 DISABILITIES EDUCATION ACT AND 22 PA. CODE CH. 14
3 (RELATING TO SPECIAL EDUCATION SERVICES AND PROGRAMS); OR

4 (V) AN EXISTING TEAM ESTABLISHED TO IMPLEMENT A
5 STUDENT'S SECTION 504 SERVICE AGREEMENT ESTABLISHED UNDER
6 SECTION 504 OF THE REHABILITATION ACT OF 1973 AND 22 PA.
7 CODE CH. 15 (RELATING TO PROTECTED HANDICAPPED STUDENTS).

8 (3) A PARENT OR GUARDIAN SHALL PROVIDE CONSENT PRIOR TO
9 A TEAM REFERRING A STUDENT TO:

10 (I) A BEHAVIORAL SERVICE PROVIDER;

11 (II) A HEALTH CARE PROVIDER; OR

12 (III) A COUNTY AGENCY.

13 (4) NOTHING IN THIS SECTION SHALL:

14 (I) PRECLUDE SCHOOL EMPLOYEES FROM ACTING
15 IMMEDIATELY TO ADDRESS AN IMMINENT THREAT. IMMINENT
16 THREATS AND EMERGENCIES SHALL BE PROMPTLY REPORTED TO A
17 LAW ENFORCEMENT AGENCY.

18 (II) LIMIT THE RESPONSIBILITIES OF SCHOOL EMPLOYEES
19 OR OTHER MANDATED REPORTERS TO REPORT SUSPECTED CHILD
20 ABUSE AS REQUIRED BY LAW.

21 (III) LIMIT THE AUTHORITY OF A SCHOOL ENTITY TO
22 REFER A STUDENT TO THE STUDENT ASSISTANCE PROGRAM WITHOUT
23 REFERRAL BY A TEAM, SO LONG AS THE STUDENT'S BEHAVIOR
24 DOES NOT INDICATE A THREAT TO THE SAFETY OF THE STUDENT,
25 OTHER STUDENTS, SCHOOL EMPLOYEES, SCHOOL FACILITIES, THE
26 COMMUNITY OR OTHERS.

27 (D) ACCESS TO STUDENT INFORMATION.--IN ORDER TO CARRY OUT
28 THE DUTIES UNDER SUBSECTIONS (B) AND (C) AND FACILITATE THE
29 TIMELY ASSESSMENT OF, AND INTERVENTION WITH, STUDENTS WHOSE
30 BEHAVIOR MAY INDICATE A THREAT TO THE SAFETY OF THE STUDENT,

1 OTHER STUDENTS, SCHOOL EMPLOYEES, SCHOOL FACILITIES, THE
2 COMMUNITY OR OTHERS, A TEAM SHALL HAVE ACCESS TO THE FOLLOWING
3 STUDENT INFORMATION TO THE EXTENT PERMISSIBLE UNDER FEDERAL LAW:

4 (1) NOTWITHSTANDING ANY PROVISION OF SECTION 1409 TO THE
5 CONTRARY, STUDENT HEALTH RECORDS.

6 (2) PRIOR SCHOOL DISCIPLINARY RECORDS.

7 (3) RECORDS OR INFORMATION SHARED WITH THE SCHOOL ENTITY
8 UNDER ARTICLE XIII-A AND 42 PA.C.S. § 6341(B.1) (RELATING TO
9 ADJUDICATION).

10 (4) RECORDS OF ANY PRIOR BEHAVIORAL OR MENTAL HEALTH OR
11 PSYCHOLOGICAL EVALUATIONS OR SCREENINGS MAINTAINED BY THE
12 SCHOOL ENTITY.

13 (5) OTHER RECORDS OR INFORMATION THAT MAY BE RELEVANT TO
14 EVALUATING A THREAT OR DETERMINING TREATMENT OR REFERRAL
15 OPTIONS FOR A STUDENT THAT ARE MAINTAINED BY THE SCHOOL
16 ENTITY.

17 (E) COOPERATION OF COUNTY AGENCY OR JUVENILE PROBATION
18 DEPARTMENT.--NOTWITHSTANDING 42 PA.C.S. § 6352.2 (RELATING TO
19 INTERAGENCY INFORMATION SHARING), UPON A PRELIMINARY
20 DETERMINATION THAT A STUDENT'S BEHAVIOR INDICATES A THREAT TO
21 THE SAFETY OF THE STUDENT, OTHER STUDENTS, SCHOOL EMPLOYEES,
22 SCHOOL FACILITIES, THE COMMUNITY OR OTHERS, A TEAM MAY REQUEST
23 THAT THE COUNTY AGENCY OR JUVENILE PROBATION DEPARTMENT CONSULT
24 AND COOPERATE WITH THE TEAM IN ASSESSING THE STUDENT WHO IS THE
25 SUBJECT OF THE PRELIMINARY DETERMINATION. THE COUNTY AGENCY OR
26 JUVENILE PROBATION DEPARTMENT SHALL COMPLY WITH THE TEAM'S
27 REQUEST EXCEPT AS PROHIBITED BY THE FOLLOWING:

28 (1) 42 PA.C.S. § 5944 (RELATING TO CONFIDENTIAL
29 COMMUNICATIONS TO PSYCHIATRISTS OR LICENSED PSYCHOLOGISTS).

30 (2) THE ACT OF FEBRUARY 13, 1970 (P.L.19, NO.10),

1 ENTITLED "AN ACT ENABLING CERTAIN MINORS TO CONSENT TO
2 MEDICAL, DENTAL AND HEALTH SERVICES, DECLARING CONSENT
3 UNNECESSARY UNDER CERTAIN CIRCUMSTANCES."

4 (3) THE ACT OF JULY 9, 1976 (P.L.817, NO.143), KNOWN AS
5 THE MENTAL HEALTH PROCEDURES ACT.

6 (4) THE ACT OF NOVEMBER 29, 1990 (P.L.585, NO.148),
7 KNOWN AS THE CONFIDENTIALITY OF HIV-RELATED INFORMATION ACT.

8 (5) FEDERAL LAW, INCLUDING THE FAMILY EDUCATIONAL RIGHTS
9 AND PRIVACY ACT OF 1974 (PUBLIC LAW 90-247, 20 U.S.C. §
10 1232G), THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT, THE
11 HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996
12 (PUBLIC LAW 104-191, 110 STAT. 1936), AND THE PROCEDURES,
13 LIMITATIONS AND CRITERIA SET FORTH IN REGULATIONS ADOPTED BY
14 THE DEPARTMENT OF HEALTH AND HUMAN SERVICES RELATING TO THE
15 CONFIDENTIALITY OF DRUG AND ALCOHOL TREATMENT RECORDS.

16 (F) USE OF INFORMATION OR RECORDS.--THE TEAM SHALL USE THE
17 INFORMATION OR RECORDS OBTAINED UNDER SUBSECTION (D) OR (E) IN
18 FULFILLING THE TEAM'S DUTY TO EVALUATE A THREAT OR THE
19 RECOMMENDED DISPOSITION OF A THREAT. NO MEMBER OF A TEAM MAY
20 REDISCLOSE ANY RECORD OR INFORMATION OBTAINED UNDER THIS SECTION
21 OR OTHERWISE USE ANY RECORD OF A STUDENT BEYOND THE PURPOSE FOR
22 WHICH THE DISCLOSURE WAS MADE TO THE TEAM.

23 (G) DISCLOSURE.--THE FOLLOWING SHALL APPLY:

24 (1) RECORDS OR DOCUMENTATION DEVELOPED OR MAINTAINED BY
25 A TEAM SHALL NOT BE SUBJECT TO THE ACT OF FEBRUARY 14, 2008
26 (P.L.6, NO.3), KNOWN AS THE RIGHT-TO-KNOW LAW.

27 (2) THE REPORT AND INFORMATION PRESENTED TO THE SCHOOL
28 ENTITY'S BOARD OF DIRECTORS AND SUBMITTED TO THE COMMITTEE
29 UNDER SUBSECTION (A) (2) (V) SHALL NOT BE SUBJECT TO THE RIGHT-
30 TO-KNOW LAW.

1 (3) SCHOOL ENTITIES SHALL NOT BE REQUIRED TO REPORT ANY
2 DATA ON THE FUNCTIONING OF THE TEAM OTHER THAN SPECIFICALLY
3 REQUIRED UNDER THIS ARTICLE.

4 SECTION 1303-E. THREAT ASSESSMENT GUIDELINES, TRAINING AND
5 INFORMATION MATERIALS.

6 (A) DUTIES OF COMMITTEE.--NO LATER THAN 180 DAYS FROM THE
7 EFFECTIVE DATE OF THIS SECTION, THE COMMITTEE SHALL:

8 (1) RESEARCH, DEVELOP AND PUBLISH BEST PRACTICES IN
9 IMPLEMENTING THIS ARTICLE.

10 (2) DEVELOP AND OFFER, AT NO CHARGE TO SCHOOL ENTITIES
11 THROUGH THE INTERNET OR OTHER DISTANCE COMMUNICATIONS
12 SYSTEMS, ALL OF THE FOLLOWING:

13 (I) A MODEL TRAINING PROGRAM FOR MEMBERS OF TEAMS
14 THAT MAY BE USED AND ADAPTED BY SCHOOL ENTITIES AND TEAM
15 MEMBERS TO MEET THE REQUIREMENTS OF SECTION 1302-E(B)(1).

16 (II) A MODEL TRAINING PROGRAM FOR SCHOOL EMPLOYEES,
17 OTHER THAN MEMBERS OF TEAMS, THAT MAY BE USED AND ADAPTED
18 BY SCHOOL ENTITIES TO MEET THE REQUIREMENTS OF SECTION
19 1310-B(1).

20 (III) MODEL, AGE-APPROPRIATE INFORMATIONAL MATERIALS
21 FOR STUDENTS THAT MAY BE USED AND ADAPTED BY SCHOOL
22 ENTITIES TO MEET THE REQUIREMENTS OF SECTION 1302-E(A)(2)
23 (IV) AND (B)(1)(IV)(A).

24 (IV) MODEL INFORMATIONAL MATERIALS FOR PARENTS AND
25 SCHOOL EMPLOYEES THAT MAY BE USED AND ADAPTED BY SCHOOL
26 ENTITIES TO MEET THE REQUIREMENTS OF SECTION 1302-E(A)(2)
27 (IV) AND (B)(1)(IV)(B).

28 (3) DEVELOP MODEL PROCEDURES AND GUIDELINES THAT SCHOOL
29 ENTITIES MAY USE IN IMPLEMENTING THIS ARTICLE. THE MODEL
30 PROCEDURES AND GUIDELINES SHALL, AT A MINIMUM:

1 (I) ESTABLISH STANDARD DEFINITIONS AND TERMINOLOGY.

2 (II) REFLECT BEST PRACTICES IN IDENTIFYING,
3 REPORTING, ASSESSING AND RESPONDING TO THREATS, INCLUDING
4 THREATS REPORTED THROUGH THE SAFE2SAY PROGRAM AND
5 COORDINATING WITH STAKEHOLDERS.

6 (III) PROVIDE FOR FLEXIBILITY AND LOCAL DECISION-
7 MAKING AND RECOGNIZE THE DIFFERING LEVELS OF AVAILABLE
8 RESOURCES IN EACH SCHOOL ENTITY.

9 (IV) BE POSTED ON THE PENNSYLVANIA COMMISSION ON
10 CRIME AND DELINQUENCY'S PUBLICLY ACCESSIBLE INTERNET
11 WEBSITE.

12 (4) COMPLY WITH FEDERAL AND STATE STUDENT RECORD
13 CONFIDENTIALITY LAWS AND REGULATIONS.

14 (5) PROVIDE GUIDANCE TO TEAMS FOR COMMUNICATIONS AND
15 COORDINATION WITH STUDENT ASSISTANCE PROGRAM AND
16 INDIVIDUALIZED EDUCATION PROGRAM TEAMS.

17 (6) ANNUALLY REVIEW SCHOOL ENTITY THREAT ASSESSMENT
18 REPORTS AND USE THEM WHEN DEVELOPING THE REQUIREMENTS UNDER
19 THIS SUBSECTION.

20 (7) ANNUALLY REVIEW THE TRAINING PROGRAMS, INFORMATIONAL
21 MATERIALS AND MODEL PROCEDURES AND GUIDELINES AND MAKE
22 UPDATES OR REVISIONS AS NECESSARY.

23 (8) NOTIFY SCHOOL ENTITIES WHEN THE TRAINING PROGRAMS,
24 INFORMATIONAL MATERIALS, MODEL PROCEDURES AND GUIDELINES
25 BECOME AVAILABLE OR ARE UPDATED OR REVISED.

26 SECTION 18. SECTION 1409 OF THE ACT IS AMENDED TO READ:

27 SECTION 1409. CONFIDENTIALITY, TRANSFERENCE AND REMOVAL OF
28 HEALTH RECORDS.--[ALL] (A) EXCEPT AS PROVIDED UNDER SUBSECTION
29 (B), ALL HEALTH RECORDS ESTABLISHED AND MAINTAINED PURSUANT TO
30 THIS ACT SHALL BE CONFIDENTIAL, AND THEIR CONTENTS SHALL BE

1 DIVULGED ONLY WHEN NECESSARY FOR THE HEALTH OF THE CHILD OR AT
2 THE REQUEST OF THE PARENT OR GUARDIAN TO A PHYSICIAN LEGALLY
3 QUALIFIED TO PRACTICE MEDICINE AND SURGERY OR OSTEOPATHY OR
4 OSTEOPATHIC SURGERY IN THE COMMONWEALTH.

5 (B) NOTWITHSTANDING ANY LIMITATION ON DISCLOSURE PROVIDED
6 UNDER THIS SECTION OR ANY OTHER LAW, A SCHOOL ENTITY MAY
7 DISCLOSE INFORMATION FROM HEALTH RECORDS TO APPROPRIATE PARTIES
8 IN CONNECTION WITH AN EMERGENCY IF KNOWLEDGE OF THE INFORMATION
9 IS NECESSARY TO PROTECT THE HEALTH OR SAFETY OF THE STUDENT OR
10 OTHER INDIVIDUALS IN ACCORDANCE WITH THE FAMILY EDUCATIONAL
11 RIGHTS AND PRIVACY ACT OF 1974 (PUBLIC LAW 90-247, 20 U.S.C. §
12 1232G).

13 (C) IN THE CASE OF ANY CHILD OF SCHOOL AGE WHO ENROLLS IN
14 ANY SCHOOL, PUBLIC OR PRIVATE, IN ANY DISTRICT AND WHO
15 PREVIOUSLY ATTENDED SCHOOL IN ANOTHER DISTRICT IN PENNSYLVANIA,
16 THE DISTRICT OR SCHOOL WHEREIN THE CHILD IS NEWLY ENROLLED SHALL
17 REQUEST AND THE DISTRICT OR SCHOOL WHERE THE CHILD PREVIOUSLY
18 ATTENDED SHALL SURRENDER THE HEALTH RECORD OF THE CHILD. SCHOOL
19 DISTRICTS, JOINT SCHOOL BOARDS OR PRIVATE SCHOOLS, SHALL NOT
20 DESTROY A CHILD'S HEALTH RECORD FOR A PERIOD OF AT LEAST TWO
21 YEARS AFTER THE CHILD CEASES TO BE ENROLLED, BUT MAY SURRENDER
22 SUCH CHILD'S HEALTH RECORD OR PORTION THEREOF TO HIS PARENT OR
23 GUARDIAN IF THE CHILD DOES NOT RE-ENROLL IN AN ELEMENTARY OR
24 SECONDARY SCHOOL IN PENNSYLVANIA.

25 SECTION 19. SECTION 1513-D OF THE ACT IS AMENDED BY ADDING A
26 PARAGRAPH TO READ:

27 SECTION 1513-D. DUTIES OF DEPARTMENT.

28 THE DEPARTMENT SHALL HAVE THE FOLLOWING POWERS AND DUTIES:

29 * * *

30 (8) TO ENCOURAGE THE INTEGRATION OF TRAUMA-INFORMED

1 APPROACHES INTO THE PROGRAM CURRICULUM AND THE PROFESSIONAL
2 DEVELOPMENT CURRICULUM OF PERSONNEL OF THE ELIGIBLE PROVIDER
3 WHO HAVE REGULAR CONTACT WITH CHILDREN.

4 SECTION 20. THE ACT IS AMENDED BY ADDING AN ARTICLE TO READ:

5 ARTICLE XV-J

6 KEYSTONE TELEPRESENCE EDUCATION GRANT PROGRAM

7 Section 1501-J. Scope of article.

8 This article relates to the Keystone Telepresence Education
9 Grant Program.

10 Section 1502-J. 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 "Department." The Department of Education of the
15 Commonwealth.

16 "Grant." A Keystone Telepresence Education Grant authorized
17 and awarded by the department under the program to intermediate
18 units in this Commonwealth.

19 "Homebound student." A student in this Commonwealth who:

20 (1) is unable to attend school for an extended period as
21 the result of a serious medical condition, including injuries
22 from an accident, recovery from a medical procedure, serious
23 illness or chronic illness; and

24 (2) satisfies the conditions for receipt of homebound
25 instruction under 22 Pa. Code § 11.25 (relating to temporary
26 excusals due to illness or other urgent reasons).

27 "Nonpublic school." A nonprofit school, other than a public
28 school within this Commonwealth, where a resident of this
29 Commonwealth may legally fulfill the compulsory school
30 attendance requirements of this act and which meets the

1 requirements of Title VI of the Civil Rights Act of 1964 (Public
2 Law 88-352, 78 Stat. 241).

3 "Program." The Keystone Telepresence Education Grant Program
4 established under section 1503-J(a).

5 "Public school." A school district, charter school, regional
6 charter school or career and technical school.

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

8 "Telepresence equipment." Available technology that enables
9 homebound students to participate in daily educational
10 activities with the students' classmates and teachers, in real-
11 time, from a remote location. The technology shall include audio
12 and video capabilities that enable homebound students to
13 communicate with classmates and teachers.

14 "Telepresence equipment manufacturer." An entity that
15 manufactures telepresence equipment for the use of, among other
16 things, educating homebound students and provides technical
17 support and training for the equipment.

18 Section 1503-J. Keystone Telepresence Education Grant Program.

19 (a) Establishment.--The Keystone Telepresence Education
20 Grant Program is established for the purpose of awarding grants
21 to intermediate units for the purchase of telepresence equipment
22 and related support services for the educational support of
23 homebound students. The department shall:

24 (1) Develop guidelines for the purchase of telepresence
25 equipment and services related to the utilization of the
26 equipment through the program, including department-approved
27 telepresence equipment manufacturers.

28 (2) Determine the form and manner in which an
29 application for a grant may be filed with the department.

30 (3) Provide notice of the program to intermediate units.

1 (4) Make grant applications available to all
2 intermediate units along with details relating to the
3 application process.

4 (5) Adopt guidelines for the approval of grant
5 applications.

6 (b) Eligibility.--Each intermediate unit shall be eligible
7 for a grant.

8 (c) Application.--An intermediate unit may apply for a grant
9 by submitting one annual application to the department. The
10 secretary shall determine in accordance with the guidelines of
11 the department the amount of a grant award to an intermediate
12 unit.

13 (d) Allocation.--To award grants under the program, the
14 department shall use up to \$300,000 annually of undistributed
15 funds not expended, encumbered or committed from appropriations
16 for grants and subsidies made to the department to award grants.
17 The funds shall be transferred by the Secretary of the Budget to
18 a restricted account as necessary to award grants and, when
19 transferred, are appropriated to carry out the provisions of
20 this article.

21 (e) Limitations.--An intermediate unit may not receive an
22 annual grant allocation that exceeds 10% of the funds available
23 under the grant program.

24 Section 1504-J. Intermediate unit policies.

25 (a) Telepresence equipment use.--An intermediate unit shall
26 develop an internal policy for the use of telepresence equipment
27 and related support services prior to applying for a grant. The
28 policy shall include guidelines for the process by which public
29 schools or nonpublic schools within the intermediate unit may
30 request the use of telepresence equipment through an

1 intermediate unit.

2 (b) Dissemination.--An intermediate unit shall, upon
3 request, provide the policy under subsection (a) to a public
4 school or nonpublic school within the intermediate unit.

5 (c) Policy modification.--A public school or nonpublic
6 school within an intermediate unit may request that the
7 intermediate unit modify its policy for the use of telepresence
8 equipment and related support services to meet the needs of a
9 homebound student.

10 Section 1505-J. Use of grants.

11 (a) Equipment.--An intermediate unit which is awarded a
12 grant shall use the grant to purchase telepresence equipment.

13 (b) Service and training.--A grant may be used, in part, to
14 secure technical support, mechanical support and training
15 support related to the use of telepresence equipment.

16 Section 1506-J. Reports.

17 An intermediate unit which is awarded a grant shall submit to
18 the department a report detailing all expenditures related to
19 the use of the grant.

20 Section 1507-J. Prohibition.

21 An intermediate unit that purchases telepresence equipment
22 with a grant may not charge a public school or nonpublic school
23 within the intermediate unit for the use of the telepresence
24 equipment when the equipment is used to support the educational
25 needs of a homebound student.

26 Section 1508-J. Construction.

27 Nothing in this article shall be construed to require or
28 create an entitlement to telepresence equipment as a component
29 of an individualized education plan for any student in this
30 Commonwealth.

1 ~~Section 2. This act shall take effect in 90 days.~~ <--

2 SECTION 21. SECTION 2603-B(D) (8) AND (9) OF THE ACT ARE <--
3 AMENDED AND THE SUBSECTION IS AMENDED BY ADDING A CLAUSE TO
4 READ:

5 SECTION 2603-B. POWERS AND DUTIES OF THE BOARD.--* * *

6 (D) THE BOARD SHALL ALSO HAVE THE AUTHORITY AND DUTY TO:

7 * * *

8 (8) ADOPT POLICIES UNDER WHICH THE SECRETARY OF EDUCATION
9 SHALL APPROVE OR DISAPPROVE THE REQUEST OF ANY PRIVATE
10 INSTITUTION OF HIGHER EDUCATION FOR ADMISSION TO STATE-RELATED
11 OR STATE-AIDED STATUS, OR FOR ELIGIBILITY FOR OTHER STATE
12 FINANCIAL SUPPORT; [AND]

13 (9) REQUIRE THE SUBMISSION OF LONG-RANGE PLANS FROM ALL
14 PUBLIC AND PRIVATE INSTITUTIONS OF HIGHER EDUCATION AT THE TIMES
15 AND IN THE FORM REQUESTED BY THE BOARD. SUCH DOCUMENTS SHALL BE
16 REVIEWED BY THE COUNCIL OF HIGHER EDUCATION AND THE BOARD IN THE
17 DEVELOPMENT OF A MASTER PLAN FOR HIGHER EDUCATION AS PROVIDED IN
18 SUBSECTION (H) AND SECTION 2604-B(C) (1) [.] ;

19 (9.1) ADOPT POLICIES ENCOURAGING THE INCLUSION OF TRAUMA-
20 INFORMED APPROACHES IN PROFESSIONAL EDUCATION CURRICULUM IN ALL
21 PUBLIC AND PRIVATE INSTITUTIONS OF HIGHER EDUCATION IN THIS
22 COMMONWEALTH ISSUING DEGREES TO INDIVIDUALS WHO MAY DESIRE TO
23 TEACH IN THE SCHOOLS OF THIS COMMONWEALTH; AND

24 * * *

25 SECTION 22. SECTION 2604-B(B) (2) (VII) AND (VIII) OF THE ACT
26 ARE AMENDED AND SUBSECTION (B) (2) IS AMENDED BY ADDING A
27 SUBCLAUSE TO READ:

28 SECTION 2604-B. POWERS AND DUTIES OF COUNCIL OF BASIC
29 EDUCATION AND COUNCIL OF HIGHER EDUCATION.--* * *

30 (B) THE COUNCIL OF BASIC EDUCATION SHALL HAVE THE POWER, AND

1 ITS DUTY SHALL BE TO:

2 * * *

3 (2) INVESTIGATE PROGRAMS, CONDUCT RESEARCH STUDIES AND
4 FORMULATE POLICY PROPOSALS IN ALL EDUCATIONAL AREAS NOT WITHIN
5 THE PURVIEW OF HIGHER EDUCATION, INCLUDING, BUT NOT LIMITED TO:

6 * * *

7 (VII) THE SUBJECTS TO BE TAUGHT AND THE ACTIVITIES TO BE
8 CONDUCTED IN ELEMENTARY, SECONDARY, ADULT EDUCATION AND OTHER
9 SCHOOLS; [AND]

10 (VIII) THE QUALIFICATIONS FOR EMPLOYMENT OF PROFESSIONAL
11 PERSONNEL IN THE PUBLIC SCHOOLS; AND

12 (IX) EDUCATION AND TRAINING IN TRAUMA-INFORMED APPROACHES.

13 * * *

14 SECTION 23. A REFERENCE IN STATUTE OR REGULATION TO "AREA
15 VOCATIONAL-TECHNICAL SCHOOL" SHALL BE DEEMED A REFERENCE TO
16 "AREA CAREER AND TECHNICAL SCHOOL."

17 SECTION 24. THE AMENDMENT OR ADDITION OF SECTIONS 1310-B(1)
18 AND 1302-E OF THE ACT SHALL APPLY BEGINNING IN THE 2021-2022
19 SCHOOL YEAR.

20 SECTION 25. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

21 (1) THE AMENDMENT OR ADDITION OF THE FOLLOWING
22 PROVISIONS OF THE ACT SHALL TAKE EFFECT IN 60 DAYS:

23 (I) SECTION 328(A)(1) AND (2) AND (B)(1) AND (2).

24 (II) SECTION 1205.1(B.1).

25 (III) SECTION 1205.7.

26 (IV) SECTION 1207.1(A)(3)(I)(H).

27 (V) SECTION 1217(A)(1)(IV).

28 (2) THE ADDITION OF ARTICLE XV-J OF THE ACT SHALL TAKE
29 EFFECT IN 90 DAYS.

30 (3) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT

1 IMMEDIATELY.