

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2714 Session of 2018

INTRODUCED BY DAY, OCTOBER 12, 2018

REFERRED TO COMMITTEE ON EDUCATION, OCTOBER 12, 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 and providing for threat
 7 assessment protocol committees.

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

10 Section 1. Section 1302-A of the act of March 10, 1949
 11 (P.L.30, No.14), known as the Public School Code of 1949, is
 12 amended by adding a subsection to read:

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

14 (c.2) In addition to the powers and duties set forth under
 15 subsections (b), (c) and (c.1), the office shall utilize
 16 qualitative data from each threat assessment protocol committee
 17 to produce an annual report on school safety to the Department
 18 of Education. The annual report shall include the number of
 19 threat reports, threat assessments and actions taken as a result
 20 of each threat.

21 * * *

1 Section 2. The act is amended by adding a section to read:

2 Section 1310.1-A. Threat Assessment Protocol Committees.--

3 (a) Each school board shall establish a threat assessment
4 protocol committee for the following purposes:

5 (1) Assessing individuals whose behavior may pose a threat
6 to the school safety or staff in accordance with the policies
7 implemented by the office, including intervention measures.

8 (2) Implementing procedures for referrals of students to
9 community services boards or health care providers for
10 evaluation or treatment, when appropriate, rather than
11 expulsion.

12 (b) A threat assessment protocol committee shall include
13 individuals with expertise in counseling, instruction, school
14 administration and law enforcement. A threat assessment protocol
15 committee may serve one or more school entities as determined by
16 the chief school administrator. A threat assessment protocol
17 committee shall have the following duties:

18 (1) Assisting students, faculty and staff of a school entity
19 to recognize threatening or aberrant behavior that may represent
20 a threat to the community or school entity.

21 (2) Identifying individuals who reside in the school
22 district and pose a threat of violence or physical harm to
23 students, faculty and staff of a school entity or exhibit
24 significantly disruptive behavior.

25 (3) Identifying students who pose a threat of violence or
26 physical harm to other students, faculty and staff.

27 (4) Implementing policies adopted by the school board to
28 enhance school safety.

29 (c) A chief school administrator may establish an oversight
30 committee to review a threat assessment protocol committee

1 operating within the school district. An oversight committee
2 shall include two individuals from each school entity with
3 expertise in human resources, education, school administration,
4 mental health and law enforcement.

5 (d) Upon a preliminary determination that a student poses a
6 threat of violence or physical harm under subsection (b) (3), the
7 threat assessment protocol committee shall immediately report
8 the determination to the chief school administrator or the chief
9 school administrator's designee. Upon receipt of the
10 determination, the chief school administrator or the chief
11 school administrator's designee shall immediately attempt to
12 notify the student's parent or legal guardian. Nothing in this
13 subsection shall be construed to prohibit the faculty or staff
14 of a school entity from acting immediately to address an
15 imminent threat. The chief administrator's designee under this
16 subsection shall remain fixed throughout the school year.

17 (e) Notwithstanding any other provision of law to the
18 contrary, upon a preliminary determination that an individual
19 poses a threat of violence or physical harm or exhibits
20 significantly disruptive behavior under subsection (b) (2), the
21 threat assessment protocol committee may obtain a criminal
22 history, juvenile delinquency and mental health record check of
23 the individual. Except for the purpose of school safety, a
24 member of the threat assessment protocol committee may not
25 disclose information obtained under this subsection.

26 (f) A threat assessment protocol committee shall report
27 quantitative data on the committee's activities to the office as
28 may be required by the office.

29 Section 3. This act shall take effect in 60 days.