

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 156 Session of 2013

INTRODUCED BY TRUITT, FRANKEL, SIMMONS, KNOWLES, DUNBAR, MALONEY, QUINN, GINGRICH, MCGEEHAN, HAGGERTY, V. BROWN, STEPHENS, CONKLIN, C. HARRIS, CARROLL, FLECK, HESS, DAVIDSON, PASHINSKI, KAUFFMAN, HARHART, HAHN, BARRAR, SWANGER, MAJOR, MARSICO, SAYLOR, WATSON, O'NEILL, DAVIS, HELM, CORBIN, ROEBUCK, ROCK, READSHAW, SCAVELLO, ROSS, R. BROWN, THOMAS, GIBBONS, BOBACK, ROZZI, FREEMAN, MACKENZIE, MILLER, SONNEY, DONATUCCI, MOUL, BENNINGHOFF, MURT, GABLER, GOODMAN, MOLCHANY, SIMS, J. HARRIS, MATZIE, PARKER, BRIGGS, STURLA, KORTZ, PAINTER AND SCHLOSSBERG, JANUARY 23, 2013

REFERRED TO COMMITTEE ON EDUCATION, JANUARY 23, 2013

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 certification of teachers, further
6 providing for program of continuing professional education;
7 and, in safe schools, further providing for definitions, for
8 reporting and for policy relating to bullying and providing
9 for powers and duties of Department of Education.

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

12 Section 1. Section 1205.2 of the act of March 10, 1949
13 (P.L.30, No.14), known as the Public School Code of 1949, is
14 amended by adding a subsection to read:

15 Section 1205.2. Program of Continuing Professional
16 Education.--* * *

17 (a.1) In addition to the continuing education program

1 required under subsection (a), each professional educator shall
2 complete at least four (4) hours of training on prevention of,
3 and intervention in, harassment, bullying and cyberbullying as
4 such terms are defined in section 1301-A or to complete the
5 online training and examination programs established in section
6 1303.2-A(2) and (3).

7 * * *

8 Section 2. The definition of "school property" in section
9 1301-A of the act, amended November 17, 2010 (P.L.996, No.104),
10 is amended and the section is amended by adding definitions to
11 read:

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

13 "Bullying" shall mean any written, verbal or physical act or
14 conduct which may, but shall not be required to, be based on any
15 actual or perceived characteristic, including, but not limited
16 to, race; color; religion; national origin, ancestry or
17 ethnicity; sexual orientation; physical, mental, emotional or
18 learning disability; gender, gender identity or expression;
19 financial status or physical appearance or based on an
20 association with a person who has or is perceived to have one or
21 more such characteristics, that has or can be reasonably
22 predicted to have the effect of one or more of the following:

23 (1) placing a reasonable student in fear of physical harm to
24 the student's person or property;

25 (2) causing a substantially detrimental effect on a
26 reasonable student's physical or mental health; or

27 (3) substantially interfering with a reasonable student's
28 ability to participate in or benefit from the services,
29 activities or privileges provided by a school.

30 * * *

1 "Cyberbullying" shall mean bullying that occurs through
2 electronic communication.

3 "Electronic communication" shall mean any form of
4 communication through an electronic device, including, but not
5 limited to, a telephone, cellular phone, computer or pager,
6 which form of communication includes, but is not limited to, e-
7 mail, instant messaging, text messaging, blogging, paging,
8 online gaming and communication through an Internet website.

9 "Harassment" shall have the same meaning as defined in 18
10 Pa.C.S. § 2709 (relating to harassment).

11 * * *

12 "School property" or "school setting" shall mean any public
13 school grounds, any school-sponsored activity [or], any
14 conveyance providing transportation to a school entity or
15 school-sponsored activity or event, or a designated school bus
16 stop.

17 * * *

18 Section 3. Section 1303-A(b), (b.1), (c) and (e) (2) of the
19 act, amended November 17, 2010 (P.L.996, No.104) and June 30,
20 2011 (P.L.112, No.24), are amended to read:

21 Section 1303-A. Reporting.--* * *

22 (b) [Each chief school administrator shall report to the
23 office by July 31 of each year all new] All incidents involving
24 acts of violence, possession of a weapon or possession, use or
25 sale of controlled substances as defined in the act of April 14,
26 1972 (P.L.233, No.64), known as "The Controlled Substance, Drug,
27 Device and Cosmetic Act," or possession, use or sale of alcohol
28 or tobacco by any person on school property shall be reported to
29 the office through the safe schools online portal pursuant to
30 the procedure set forth in section 1303.2-A. [The incidents to

1 be reported to the office shall include all incidents involving
2 conduct that constitutes a criminal offense listed under
3 paragraphs (4.1) and (4.2). Reports on a form to be developed
4 and provided by the office shall include] Reports though the
5 acts of violence online interface within the safe schools online
6 portal required under section 1303.2-A shall include, at a
7 minimum, the following information:

8 (1) Age or grade of student.

9 (2) Name and address of school.

10 (3) Circumstances surrounding the incident, including, but
11 not limited to, type of weapon, controlled substance, alcohol or
12 tobacco, the date, time and location of the incident, if a
13 person other than a student is involved in the incident and any
14 relationship to the school entity.

15 (3.1) Race of student.

16 (3.2) Whether the student has an Individualized Education
17 Plan under the Individuals with Disabilities Education Act
18 (Public Law 91-230, 20 U.S.C. § 1400 et seq.), and if so, the
19 type of disability.

20 (4) Sanction imposed by the school.

21 (4.1) A list of criminal offenses which shall, at a minimum,
22 include:

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

25 Section 908 (relating to prohibited offensive weapons).

26 Section 912 (relating to possession of weapon on school
27 property).

28 Chapter 25 (relating to criminal homicide).

29 Section 2702 (relating to aggravated assault).

30 Section 2709.1 (relating to stalking).

1 Section 2901 (relating to kidnapping).

2 Section 2902 (relating to unlawful restraint).

3 Section 3121 (relating to rape).

4 Section 3122.1 (relating to statutory sexual assault).

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

7 Section 3124.1 (relating to sexual assault).

8 Section 3124.2 (relating to institutional sexual assault).

9 Section 3125 (relating to aggravated indecent assault).

10 Section 3126 (relating to indecent assault).

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

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

14 Section 3502 (relating to burglary).

15 Section 3503(a) and (b)(1)(v) (relating to criminal
16 trespass).

17 Section 5501 (relating to riot).

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

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

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

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

26 (4.2) The following offenses under 18 Pa.C.S., and any
27 attempt, solicitation or conspiracy to commit any of these
28 offenses:

29 Section 2701 (relating to simple assault).

30 Section 2705 (relating to recklessly endangering another

1 person).

2 Section 2706 (relating to terroristic threats).

3 Section 2709 (relating to harassment).

4 Section 3127 (relating to indecent exposure).

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

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

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

10 Section 5502 (relating to failure of disorderly persons to
11 disperse upon official order).

12 Section 5503 (relating to disorderly conduct).

13 Section 6305 (relating to sale of tobacco).

14 Section 6306.1 (relating to use of tobacco in schools
15 prohibited).

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

18 (4.3) If the discipline infraction was a violation of the
19 policy adopted under section 1303.1-A.

20 (5) Notification of law enforcement.

21 (5.1) Law enforcement response.

22 (6) Remedial programs involved.

23 (7) Parental involvement required.

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

25 (b.1) [Prior to submitting the report required under
26 subsection (b), each chief school administrator] The chief
27 school administrator shall send an acts of violence online
28 report from the acts of violence online interface within the
29 safe schools online portal established pursuant to section
30 1303.2-A to the police department that has jurisdiction over the

1 relevant school property on an annual basis. Each chief school
2 administrator and each police department having jurisdiction
3 over school property of the school entity shall [do all of the
4 following] have the following duties:

5 (1) [No later than thirty (30) days prior to the deadline
6 for submitting the report to the office required under
7 subsection (b), the] The chief school administrator shall submit
8 the report to the police department with jurisdiction over the
9 relevant school property. The police department shall review the
10 report and compare the data regarding criminal offenses and
11 notification of law enforcement to determine whether the report
12 accurately reflects police incident data.

13 (2) No later than [fifteen (15) days prior to the deadline
14 for the chief school administrator to submit the report required
15 under subsection (b)] twenty-one (21) days after receiving the
16 acts of violence report, the police department shall notify the
17 chief school administrator, in writing, whether the report
18 accurately reflects police incident data. Where the police
19 department determines that the report accurately reflects police
20 incident data, the chief of police shall sign the report. Where
21 the police department determines that the report does not
22 accurately reflect police incident data, the police department
23 shall indicate any discrepancies between the report and police
24 incident data.

25 (3) [Prior to submitting the report required under
26 subsection (b), the] The chief school administrator and the
27 police department shall attempt to resolve discrepancies between
28 the report and police incident data. Where a discrepancy remains
29 unresolved, the police department shall notify the chief school
30 administrator and the office in writing.

1 (4) Where a police department fails to take action as
2 required under paragraph (1), (2) or (3), the chief school
3 administrator [shall submit the report required under subsection
4 (b) and indicate that the police department failed to take
5 action as required under paragraph (2) or (3)] shall indicate
6 the police department's failure to take action by entering the
7 information in the acts of violence online interface within the
8 safe schools online portal pursuant to subsection (b).

9 (c) Each chief school administrator shall form an advisory
10 committee composed of relevant school staff, including, but not
11 limited to, principals, security personnel, school resource
12 officers, guidance counselors and special education
13 administrators, to assist in the development of a memorandum of
14 understanding pursuant to this section. In consultation with the
15 advisory committee, each chief school administrator shall enter
16 into a memorandum of understanding with police departments
17 having jurisdiction over school property of the school entity.
18 Each chief school administrator shall submit a copy of the
19 memorandum of understanding to the office by June 30, 2011, and
20 biennially update and re-execute a memorandum of understanding
21 with local law enforcement and file such memorandum with the
22 office on a biennial basis. The memorandum of understanding
23 shall be signed by the chief school administrator, the chief of
24 police of the police department with jurisdiction over the
25 relevant school property and principals of each school building
26 of the school entity. The memorandum of understanding shall
27 comply with the regulations promulgated by the State Board of
28 Education under section 1302.1-A and shall also include:

29 (1) The procedure for police department review of the annual
30 report required under subsection (b) [prior to the chief school

1 administrator filing the report required under subsection (b)
2 with the office].

3 (2) A procedure for the resolution of school violence data
4 discrepancies in the report [prior to filing the report required
5 under subsection (b) with the office].

6 (3) Additional matters pertaining to crime prevention agreed
7 to between the chief school administrator and the police
8 department.

9 * * *

10 (e) * * *

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

29 (i) for a first violation, \$2,500;

30 (ii) for a second violation, \$3,500; or

1 (iii) for a third or subsequent violation, \$5,000.

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

4 Section 4. Section 1303.1-A of the act, added July 9, 2008
5 (P.L.846, No.61), is amended to read:

6 Section 1303.1-A. Policy Relating to Bullying.--[(a) No
7 later than January 1, 2009, each school entity shall adopt a
8 policy or amend its existing policy relating to bullying and
9 incorporate the policy into the school entity's code of student
10 conduct required under 22 Pa. Code § 12.3(c) (relating to school
11 rules). The policy shall delineate disciplinary consequences for
12 bullying and may provide for prevention, intervention and
13 education programs, provided that no school entity shall be
14 required to establish a new policy under this section if one
15 currently exists and reasonably fulfills the requirements of
16 this section. The policy shall identify the appropriate school
17 staff person to receive reports of incidents of alleged
18 bullying.

19 (b) Each school entity shall make the policy available on
20 its publicly accessible Internet website, if available, and in
21 every classroom. Each school entity shall post the policy at a
22 prominent location within each school building where such
23 notices are usually posted. Each school entity shall ensure that
24 the policy and procedures for reporting bullying incidents are
25 reviewed with students within ninety (90) days after their
26 adoption and thereafter at least once each school year.

27 (c) Each school entity shall review its policy every three
28 (3) years and annually provide the office with a copy of its
29 policy relating to bullying, including information related to
30 the development and implementation of any bullying prevention,

1 intervention and education programs. The information required
2 under this subsection shall be attached to or made part of the
3 annual report required under section 1303-A(b).

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

13 (e) For purposes of this article, "bullying" shall mean an
14 intentional electronic, written, verbal or physical act, or a
15 series of acts:

- 16 (1) directed at another student or students;
- 17 (2) which occurs in a school setting;
- 18 (3) that is severe, persistent or pervasive; and
- 19 (4) that has the effect of doing any of the following:
 - 20 (i) substantially interfering with a student's education;
 - 21 (ii) creating a threatening environment; or
 - 22 (iii) substantially disrupting the orderly operation of the
23 school; and

24 "school setting" shall mean in the school, on school grounds,
25 in school vehicles, at a designated bus stop or at any activity
26 sponsored, supervised or sanctioned by the school.]

27 (f) No later than July 1, 2014, each school entity shall
28 adopt the Department of Education's model policy related to
29 bullying required under section 1303.2-A(4) or an alternative
30 policy that includes at a minimum the requirements of section

1 1303.2-A(4) prohibiting harassment, bullying and cyberbullying.
2 A school entity may comply with this subsection by amending its
3 existing policy to include, at a minimum, the requirements of
4 section 1303.2-A(4). The school entity shall involve students,
5 parents, administrators, school staff, school volunteers and
6 local law enforcement agencies in the process of adopting an
7 alternative policy, if it chooses not to implement the
8 Department of Education's model policy related to bullying.

9 (g) Each school building shall adopt and follow the bullying
10 policy that has been established by the school entity where the
11 school building is located.

12 (h) Each school entity shall incorporate its bullying policy
13 into the school entity's code of student conduct required under
14 22 Pa. Code § 12.3(c) (relating to school rules). The school
15 entity's policy shall be implemented in a manner that is ongoing
16 throughout the school year and integrated with each school
17 entity's curriculum, discipline policies and other violence
18 prevention efforts. Any discipline imposed under the policy must
19 be consistent with Federal and State law.

20 (i) Students, school staff and volunteers shall engage in no
21 harassment, bullying or cyber bullying that takes place:

22 (1) in a school setting; or

23 (2) through use of electronic communication, outside a
24 school setting, that is directed at a student and is so severe,
25 persistent or pervasive that it substantially interferes with a
26 student's ability to participate in or benefit from the
27 services, activities or privileges provided by a school.

28 (j) A school employe who promptly reports in good faith an
29 act of harassment, bullying or cyberbullying to the appropriate
30 school official designated in the school entity's policy

1 established under this section and who makes the report in
2 compliance with the procedures specified in the policy shall be
3 immune from a cause of action for damages arising out of the
4 reporting.

5 (k) Nothing in this section shall be construed:

6 (1) to prevent a victim of harassment, bullying or
7 cyberbullying from seeking redress under any other available
8 civil or criminal law; or

9 (2) to infringe upon the right of a school employe or
10 student to engage in speech or expression protected by the
11 Constitution of the United States or the Constitution of
12 Pennsylvania.

13 (l) If any provision of this section or the application
14 thereof to any person or circumstance is held invalid, the
15 invalidity shall not affect other provisions or applications of
16 the section which can be given effect without the invalid
17 provision or application and to this end the provisions of this
18 section are declared severable.

19 Section 5. The act is amended by adding sections to read:

20 Section 1303.2-A. Powers and Duties of Department of
21 Education.--The Department of Education shall have the following
22 powers and duties:

23 (1) By November 1, 2013, establish, develop and maintain a
24 secure Internet safe schools online portal which shall be
25 accessible by the school employes in each school entity. The
26 portal shall include:

27 (i) A bullying interface for school employes to enter and
28 track bullying incidents and follow-up. At a minimum, the safe
29 schools online bullying interface shall include areas to enter
30 information related to:

1 (A) All complaints related to the specific incident of
2 harassment, bullying or cyberbullying.

3 (B) Names of each party involved.

4 (C) Complete and accurate information regarding the
5 investigation, including the name of the individual responsible
6 for the investigation.

7 (D) Complete and accurate information regarding the
8 resolution of the complaint.

9 (ii) An acts of violence interface to enter and track all
10 incidents involving acts of violence, possession of a weapon or
11 possession, use or sale of controlled substances as defined in
12 section 2 of the act of April 14, 1972 (P.L.233, No.64), known
13 as "The Controlled Substance, Drug, Device and Cosmetic Act," or
14 possession, use or sale of alcohol or tobacco by any person on
15 school property. At a minimum, the acts of violence interface
16 shall include all information required under section 1303-A.

17 (iii) Automatic, periodic generation of appropriate bullying
18 reports for the individuals listed below in the following
19 intervals:

20 (A) Each school principal, monthly.

21 (B) Each chief school administrator, quarterly.

22 (C) The Secretary of Education, annually.

23 (D) The General Assembly, annually.

24 (iv) Automatic, periodic generation of appropriate acts of
25 violence reports for the individuals listed below in the
26 following intervals:

27 (A) Each school principal, monthly.

28 (B) Each chief school administrator, quarterly.

29 (C) The Secretary of Education, annually.

30 (D) The General Assembly, annually.

1 (v) Automatic e-mailing of bullying and acts of violence
2 reports to the individuals and in the intervals specified in
3 subparagraphs (iii) and (iv).

4 (vi) Automatic e-mailing of bullying incident deadline
5 reminders to individuals responsible for the investigation.

6 (vii) The online training and examination programs
7 established in paragraphs (2) and (3).

8 (2) By November 1, 2013, develop an online training program
9 to fulfill the continuing education requirement on prevention
10 of, and intervention in, harassment, bullying and cyberbullying
11 established under section 1205.2(a.1).

12 (3) By November 1, 2013, develop an online examination
13 program to fulfill the continuing education requirement on
14 prevention of, and intervention in, harassment, bullying and
15 cyberbullying established under section 1205.2(a.1).

16 (4) No later than January 1, 2014, develop and establish a
17 model policy related to bullying. The policy shall contain, at a
18 minimum, the following:

19 (i) A statement prohibiting harassment, bullying and
20 cyberbullying of a student and explaining the scope of the
21 prohibition, including a statement that the policy applies to
22 school sponsored functions.

23 (ii) The definitions of "bullying," "cyberbullying" and
24 "harassment" as stated in section 1301-A.

25 (iii) Consequences and appropriate remedial action,
26 including positive behavior support as defined in 22 Pa. Code §
27 14.133 (relating to positive behavior support), for a person who
28 commits an act of harassment, bullying or cyberbullying.
29 Disciplinary consequences for harassment, bullying and
30 cyberbullying shall be unique to the individual incident and

1 vary in severity based on the nature of the incident, the
2 developmental age of the perpetrator and the perpetrator's
3 history of problem behaviors.

4 (iv) A procedure for students, school employes and school
5 administrators to report an act of harassment, bullying or
6 cyberbullying. The procedure shall include the following:

7 (A) A person may report an act of harassment, bullying or
8 cyberbullying anonymously, provided that no formal disciplinary
9 action is taken solely on the basis of an anonymous report.

10 (B) All acts of harassment, bullying or cyberbullying shall
11 be reported in writing to the chief school administrator and the
12 principal or principal's designee and all information shall be
13 entered into the safe schools online portal established under
14 section 1303.2-A(4) within forty-eight (48) hours of when the
15 school employe witnessed or received reliable information that a
16 student had been subject to harassment, bullying or
17 cyberbullying.

18 (C) The principal or principal's designee shall inform the
19 parents or guardians of all students involved in the alleged
20 incident promptly. Prior to notification of any parent, guardian
21 or student regarding any incident of harassment, bullying or
22 cyberbullying, the principal or principal's designee shall
23 consider the age, health, well-being, safety and privacy of any
24 student involved in the incident. The principal or principal's
25 designee may discuss, as appropriate, the availability of
26 counseling and other intervention or protective services.

27 (v) A procedure for prompt investigation of reports of
28 violations and complaints, which procedure shall, at a minimum,
29 provide that:

30 (A) The investigation shall be conducted by the principal or

1 the principal's designee.

2 (B) The investigation shall be completed as soon as
3 possible, but no later than twenty-one (21) days from the date
4 the report is entered into the safe schools online portal.

5 (C) The results of any such investigation shall be reported
6 to the principal, if not directly involved in the investigation,
7 and chief school administrator. The principal or chief school
8 administrator shall decide whether to provide intervention
9 services, establish or enhance training programs to reduce
10 harassment, bullying or cyberbullying and improve school
11 climate, impose discipline, order counseling or take or
12 recommend other appropriate action based on the findings of the
13 investigation.

14 (D) The safe schools online portal shall be updated and
15 finalized with complete and accurate information regarding the
16 incident by the principal or designee in charge of the
17 investigation within forty-eight (48) hours after the
18 investigation has ended.

19 (E) Upon request, students who are parties to the
20 investigation shall receive information about the investigation,
21 subject to Federal and State law and regulation, including the
22 nature of the investigation, whether the school entity found
23 evidence of harassment, bullying or cyberbullying and whether
24 discipline was imposed or services provided to address the
25 incident of harassment, bullying or cyberbullying. This
26 information shall be provided in writing within five (5) days of
27 the request.

28 (F) Any party that is dissatisfied with the outcome of an
29 investigation and subsequent action taken may appeal to the
30 governing body of the school entity within thirty (30) days

1 after the issuance of the written report.

2 (vi) A statement that prohibits retaliation against any
3 person who reports an act of harassment, bullying or
4 cyberbullying, including a witness or a person with reliable
5 information about such an act, and the consequence and
6 appropriate remedial action for a person who engages in
7 retaliation.

8 (vii) A statement of the manner in which the policy is to be
9 publicized. The statement shall include:

10 (A) A requirement that a link to the policy shall be
11 prominently posted on the school entity's publicly accessible
12 Internet website and that each school entity shall post the
13 policy at a prominent location within each school building where
14 such notices are usually posted or in each classroom.

15 (B) A requirement that the name, school telephone number,
16 school address and school e-mail address of the principal or
17 designee responsible for investigating harassment, bullying and
18 cyberbullying shall be prominently listed on the school entity's
19 publicly accessible Internet website.

20 (C) A requirement that the policy shall be distributed
21 annually to students and their parents. The policy may be
22 included in a student Code of Conduct and Family Educational
23 Rights and Privacy Act statement under the Family Educational
24 Rights and Privacy Act of 1974 (Public Law 90-247, 20 U.S.C. §
25 1232g).

26 (D) A statement that the school entity shall ensure that the
27 policy and procedures for reporting bullying are reviewed with
28 students within ninety (90) days after their adoption and
29 thereafter at least once per school year.

30 (viii) A statement that the school entity shall review its

1 policy every three (3) years and annually provide the Department
2 of Education with a copy of its policy prohibiting harassment,
3 bullying and cyberbullying if it uses an alternate policy
4 instead of the Department of Education's model policy.

5 (ix) Provisions for the formation of bullying prevention
6 task forces, programs, associated trainings and other
7 initiatives involving school staff, pupils, administrators,
8 volunteers, parents, law enforcement, community members and
9 other stakeholders, as deemed appropriate by the school entity.

10 (x) Annual training for administrators, school employes and
11 volunteers who have significant contact with students in
12 preventing, identifying, responding to and reporting incidents
13 of harassment, bullying or cyberbullying. School entities may
14 incorporate training into existing annual training sessions or
15 seminars related to other school matters.

16 (5) By January 1, 2014, compile and make available to all
17 school entities a list of programs appropriate for the
18 prevention of harassment, bullying or cyberbullying of students,
19 including programs that are available to school entities for
20 free or at reduced costs.

21 (6) Periodically review school entity policies, programs,
22 activities and services to determine whether the school entities
23 are complying with this section and section 1303.1-A.

24 Section 6. Any regulations of the Department of Education
25 that are inconsistent with this act are hereby abrogated to the
26 extent of the inconsistency.

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