

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 156 Session of 2015

INTRODUCED BY TRUITT, MAJOR, HENNESSEY, SAYLOR, FRANKEL,
 D. COSTA, MATZIE, DONATUCCI, MACKENZIE, KINSEY, KORTZ,
 WHEATLEY, SCHREIBER, BROWNLEE, BISHOP, C. PARKER, GODSHALL,
 A. HARRIS, V. BROWN, SCHLOSSBERG, M. K. KELLER, BARRAR,
 READSHAW, COHEN, BENNINGHOFF, SANTARSIERO, DAVIS, WATSON,
 GOODMAN, ROSS, BOBACK, ELLIS, HACKETT, KIM, QUINN, STURLA AND
 ROEBUCK, FEBRUARY 3, 2015

REFERRED TO COMMITTEE ON EDUCATION, FEBRUARY 3, 2015

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
 18 required under subsection (a), each professional educator shall
 19 complete at least four (4) hours of training focused solely on

1 the identification and prevention of, intervention in, and the
2 use of the online portal to report harassment, bullying and
3 cyberbullying as such terms are defined in section 1301-A or to
4 complete the online training and examination programs
5 established in section 1303.2-A(3) and (4).

6 * * *

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

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

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

22 (1) is directed at a specific student or students;

23 (2) occurs in a school setting;

24 (3) is severe, persistent or pervasive; and

25 (4) has or can be reasonably predicted to have the effect of
26 one or more of the following:

27 (i) places a reasonable student in fear of physical harm to
28 the student's person or property;

29 (ii) causes a substantially detrimental effect on a
30 reasonable student's physical or mental health; or

1 (iii) substantially interferes with a reasonable student's
2 ability to participate in or benefit from the services,
3 activities or privileges provided by a school.

4 * * *

5 "Cyberbullying" shall mean bullying that occurs through
6 electronic communication.

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

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

15 * * *

16 "School property" or "school setting" shall mean any public
17 school grounds, any school-sponsored activity [or], any
18 conveyance providing transportation to a school entity or
19 school-sponsored activity or event, or a designated school bus
20 stop when students are waiting to be picked up by school-
21 provided transportation or exiting from school-provided
22 transportation.

23 * * *

24 Section 3. Section 1303-A(b), (b.1), (c) and (e) (2) of the
25 act, amended November 17, 2010 (P.L.996, No.104) and June 30,
26 2011 (P.L.112, No.24), are amended to read:

27 Section 1303-A. Reporting.--* * *

28 (b) [Each chief school administrator shall report to the
29 office by July 31 of each year all new] All incidents involving
30 acts of violence, possession of a weapon or possession, use or

1 sale of controlled substances as defined in the act of April 14,
2 1972 (P.L.233, No.64), known as "The Controlled Substance, Drug,
3 Device and Cosmetic Act," or possession, use or sale of alcohol
4 or tobacco by any person on school property shall be reported to
5 the office through the safe schools online portal pursuant to
6 the procedure set forth in section 1303.2-A. [The incidents to
7 be reported to the office shall include all incidents involving
8 conduct that constitutes a criminal offense listed under
9 paragraphs (4.1) and (4.2). Reports on a form to be developed
10 and provided by the office shall include] Reports though the
11 acts of violence online interface within the safe schools online
12 portal required under section 1303.2-A shall include, at a
13 minimum, the following information:

14 (1) Age or grade of student.

15 (2) Name and address of school.

16 (3) Circumstances surrounding the incident, including, but
17 not limited to, type of weapon, controlled substance, alcohol or
18 tobacco, the date, time and location of the incident, if a
19 person other than a student is involved in the incident and any
20 relationship to the school entity.

21 (3.1) Race of student.

22 (3.2) Whether the student has an Individualized Education
23 Plan under the Individuals with Disabilities Education Act
24 (Public Law 91-230, 20 U.S.C. § 1400 et seq.), and if so, the
25 type of disability.

26 (4) Sanction imposed by the school.

27 (4.1) A list of criminal offenses which shall, at a minimum,
28 include:

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

1 Section 908 (relating to prohibited offensive weapons).
2 Section 912 (relating to possession of weapon on school
3 property).
4 Chapter 25 (relating to criminal homicide).
5 Section 2702 (relating to aggravated assault).
6 Section 2709.1 (relating to stalking).
7 Section 2901 (relating to kidnapping).
8 Section 2902 (relating to unlawful restraint).
9 Section 3121 (relating to rape).
10 Section 3122.1 (relating to statutory sexual assault).
11 Section 3123 (relating to involuntary deviate sexual
12 intercourse).
13 Section 3124.1 (relating to sexual assault).
14 Section 3124.2 (relating to institutional sexual assault).
15 Section 3125 (relating to aggravated indecent assault).
16 Section 3126 (relating to indecent assault).
17 Section 3301 (relating to arson and related offenses).
18 Section 3307 (relating to institutional vandalism) when the
19 penalty is a felony of the third degree.
20 Section 3502 (relating to burglary).
21 Section 3503(a) and (b)(1)(v) (relating to criminal
22 trespass).
23 Section 5501 (relating to riot).
24 Section 6110.1 (relating to possession of firearm by minor).
25 (ii) The possession, use or sale of a controlled substance
26 or drug paraphernalia as defined in "The Controlled Substance,
27 Drug, Device and Cosmetic Act."
28 (iii) Attempts, solicitation or conspiracy to commit any of
29 the offenses listed in subclauses (i) and (ii).
30 (iv) An offense for which registration is required under 42

1 Pa.C.S. § 9795.1 (relating to registration).

2 (4.2) The following offenses under 18 Pa.C.S., and any
3 attempt, solicitation or conspiracy to commit any of these
4 offenses:

5 Section 2701 (relating to simple assault).

6 Section 2705 (relating to recklessly endangering another
7 person).

8 Section 2706 (relating to terroristic threats).

9 Section 2709 (relating to harassment).

10 Section 3127 (relating to indecent exposure).

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

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

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

16 Section 5502 (relating to failure of disorderly persons to
17 disperse upon official order).

18 Section 5503 (relating to disorderly conduct).

19 Section 6305 (relating to sale of tobacco).

20 Section 6306.1 (relating to use of tobacco in schools
21 prohibited).

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

24 (4.3) If the discipline infraction was a violation of the
25 policy adopted under section 1303.1-A.

26 (5) Notification of law enforcement.

27 (5.1) Law enforcement response.

28 (6) Remedial programs involved.

29 (7) Parental involvement required.

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

1 (b.1) [Prior to submitting the report required under
2 subsection (b), each chief school administrator] The chief
3 school administrator shall send an acts of violence online
4 report from the acts of violence online interface within the
5 safe schools online portal established pursuant to section
6 1303.2-A to the police department that has jurisdiction over the
7 relevant school property on an annual basis. Each chief school
8 administrator and each police department having jurisdiction
9 over school property of the school entity shall [do all of the
10 following] have the following duties:

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

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

1 (3) [Prior to submitting the report required under
2 subsection (b), the] The chief school administrator and the
3 police department shall attempt to resolve discrepancies between
4 the report and police incident data. Where a discrepancy remains
5 unresolved, the police department shall notify the chief school
6 administrator and the office in writing.

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

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

1 relevant school property and principals of each school building
2 of the school entity. The memorandum of understanding shall
3 comply with the regulations promulgated by the State Board of
4 Education under section 1302.1-A and shall also include:

5 (1) The procedure for police department review of the annual
6 report required under subsection (b) [prior to the chief school
7 administrator filing the report required under subsection (b)
8 with the office].

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

12 (3) Additional matters pertaining to crime prevention agreed
13 to between the chief school administrator and the police
14 department.

15 * * *

16 (e) * * *

17 (2) In addition to any other disciplinary actions set forth
18 in the "Professional Educator Discipline Act," a chief school
19 administrator or principal of a school entity who intentionally
20 fails to [submit the report] enter thorough and accurate
21 information into the acts of violence online interface as
22 required under subsection (b) or enter into the memorandum of
23 understanding with the police department with jurisdiction over
24 the relevant school property, report an incident involving an
25 act of violence, possession of a weapon or an offense cited
26 under subsection (b) (4.1) that occurs on school property to a
27 police department or submit a copy of the memorandum of
28 understanding to the office as required under subsection (c) or
29 who intentionally falsifies a report submitted as required under
30 this section shall be subject to prosecution for violation of 18

1 Pa.C.S. § 4904 (relating to unsworn falsification to
2 authorities). The following civil penalties may be imposed by
3 the Professional Standards and Practices Commission for
4 violations of this article:

- 5 (i) for a first violation, \$2,500;
- 6 (ii) for a second violation, \$3,500; or
- 7 (iii) for a third or subsequent violation, \$5,000.

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

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

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

25 (b) Each school entity shall make the policy available on
26 its publicly accessible Internet website, if available, and in
27 every classroom. Each school entity shall post the policy at a
28 prominent location within each school building where such
29 notices are usually posted. Each school entity shall ensure that
30 the policy and procedures for reporting bullying incidents are

1 reviewed with students within ninety (90) days after their
2 adoption and thereafter at least once each school year.

3 (c) Each school entity shall review its policy every three
4 (3) years and annually provide the office with a copy of its
5 policy relating to bullying, including information related to
6 the development and implementation of any bullying prevention,
7 intervention and education programs. The information required
8 under this subsection shall be attached to or made part of the
9 annual report required under section 1303-A(b).

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

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

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

30 "school setting" shall mean in the school, on school grounds,

1 in school vehicles, at a designated bus stop or at any activity
2 sponsored, supervised or sanctioned by the school.]

3 (f) No later than July 1, 2016, each school entity shall
4 adopt the Department of Education's model policy related to
5 bullying required under section 1303.2-A(5) or an alternative
6 policy that includes at a minimum the requirements of section
7 1303.2-A(5) prohibiting harassment, bullying and cyberbullying.
8 A school entity may comply with this subsection by amending its
9 existing policy to include, at a minimum, the requirements of
10 section 1303.2-A(5). The school entity shall involve students,
11 parents, administrators, school staff, school volunteers and
12 local law enforcement agencies in the process of adopting an
13 alternative policy, if it chooses not to implement the
14 Department of Education's model policy related to bullying.

15 (g) Each school building shall adopt and follow the bullying
16 policy that has been established by the school entity where the
17 school building is located.

18 (h) Each school entity shall incorporate its bullying policy
19 into the school entity's code of student conduct required under
20 22 Pa. Code § 12.3(c) (relating to school rules). The school
21 entity's policy shall be implemented in a manner that is ongoing
22 throughout the school year and integrated with each school
23 entity's discipline policies and other violence prevention
24 efforts. Any discipline imposed under the policy must be
25 consistent with Federal and State law.

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

28 (1) in a school setting; or

29 (2) through use of electronic communication, outside a
30 school setting, that is directed at a student and is so severe,

1 persistent or pervasive that it substantially interferes with a
2 student's ability to participate in or benefit from the
3 services, activities or privileges provided by a school.

4 (j) A school employe who promptly reports in good faith an
5 act of harassment, bullying or cyberbullying to the appropriate
6 school official designated in the school entity's policy
7 established under this section and who makes the report in
8 compliance with the procedures specified in the policy shall be
9 immune from a cause of action for damages arising out of the
10 reporting.

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

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

15 (2) to infringe upon the right of a school employe or
16 student to engage in speech or expression protected by the
17 Constitution of the United States or the Constitution of
18 Pennsylvania.

19 (l) If any provision of this section or the application
20 thereof to any person or circumstance is held invalid, the
21 invalidity shall not affect other provisions or applications of
22 the section which can be given effect without the invalid
23 provision or application and to this end the provisions of this
24 section are declared severable.

25 Section 5. The act is amended by adding a section to read:

26 Section 1303.2-A. Powers and Duties of Department of
27 Education.--The Department of Education shall have the following
28 powers and duties:

29 (1) By November 1, 2015, establish, develop and maintain a
30 secure Internet safe schools online portal which shall be

1 accessible only by employes of the Department of Education and
2 the professional school employes in each school entity. The
3 portal shall include:

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

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

10 (B) Names of each party involved, including the name of the
11 individual who entered the details of the incident into the
12 online portal.

13 (C) Complete and accurate information regarding the
14 investigation, including the name of the individual responsible
15 for the investigation.

16 (D) Complete and accurate information regarding the
17 resolution of the complaint.

18 (ii) An acts of violence interface to enter and track all
19 incidents involving acts of violence, possession of a weapon or
20 possession, use or sale of controlled substances as defined in
21 section 2 of the act of April 14, 1972 (P.L.233, No.64), known
22 as "The Controlled Substance, Drug, Device and Cosmetic Act," or
23 possession, use or sale of alcohol or tobacco by any person on
24 school property. At a minimum, the acts of violence interface
25 shall include all information required under section 1303-A. At
26 the discretion of the Department of Education, the acts of
27 violence interface may be integrated with the bullying interface
28 established under subparagraph (i) to create a single interface
29 for entering all required information for an act of violence or
30 a case of bullying.

1 (iii) Automatic, periodic generation of appropriate bullying
2 reports only for the individuals listed below in the following
3 intervals:

4 (A) Each school principal, monthly.

5 (B) Each chief school administrator, quarterly.

6 (C) The Secretary of Education, annually.

7 (D) The General Assembly, annually.

8 (iv) Automatic, periodic generation of appropriate acts of
9 violence reports for the individuals listed below in the
10 following intervals:

11 (A) Each school principal, monthly.

12 (B) Each chief school administrator, quarterly.

13 (C) The Secretary of Education, annually.

14 (D) The General Assembly, annually.

15 (v) Automatic e-mailing of bullying and acts of violence
16 reports to the individuals and in the intervals specified in
17 subparagraphs (iii) and (iv).

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

20 (vii) The online training and examination programs
21 established in paragraphs (3) and (4).

22 (2) Ensure all of the following:

23 (i) All reports produced for the chief school administrator,
24 the Secretary of Education and the General Assembly do not
25 include the names or other identifying information of the
26 students involved in bullying incidents, the individuals who
27 reported the incidents or the individuals who entered the
28 incident data into the online portal.

29 (ii) No option for the production of custom queries or
30 reports include any individually identifiable information.

1 (iii) No option for any user to search for incident data by
2 the name of any party involved in the incident.

3 (iv) No means for any user to access the raw data within the
4 online portal.

5 (v) Automatic deletion of all student-identifiable data no
6 later than thirty (30) days after resolution of the complaint.

7 (3) By November 1, 2015, develop an online training program
8 to fulfill the continuing education requirement on prevention
9 of, and intervention in, harassment, bullying and cyberbullying
10 established under section 1205.2(a.1).

11 (4) By November 1, 2015, develop an online examination
12 program to fulfill the continuing education requirement on
13 prevention of, and intervention in, harassment, bullying and
14 cyberbullying established under section 1205.2(a.1).

15 (5) No later than January 1, 2016, develop and establish a
16 model policy related to bullying. The policy shall contain, at a
17 minimum, the following:

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

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

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

1 developmental age of the perpetrator and the perpetrator's
2 history of problem behaviors.

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

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

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

16 (C) No later than forty-eight (48) hours after notice of an
17 alleged incident, the principal or principal's designee shall
18 inform the parents or guardians of all students involved in the
19 alleged incident. Prior to notification of any parent, guardian
20 or student regarding any incident of harassment, bullying or
21 cyberbullying, the principal or principal's designee shall
22 consider the age, health, well-being, safety and privacy of any
23 student involved in the incident. The principal or principal's
24 designee may discuss, as appropriate, the availability of
25 counseling and other intervention or protective services.

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

29 (A) The investigation shall be conducted by the principal or
30 the principal's designee.

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

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

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

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

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

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

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

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

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

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

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

29 (viii) A statement that the school entity shall review its
30 policy every three (3) years and annually provide the Department

1 of Education with a copy of its policy prohibiting harassment,
2 bullying and cyberbullying if it uses an alternate policy
3 instead of the Department of Education's model policy.

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

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

15 (6) By January 1, 2016, compile and make available to all
16 school entities a list of programs appropriate for the
17 prevention of harassment, bullying or cyberbullying of students,
18 including programs that are available to school entities for
19 free or at reduced costs.

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

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

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