



# Act 33 of 2023: Summary of School Safety Updates

Presentation for the School Safety and Security Committee

January 10, 2024

# Act 33 of 2023

- [House Bill 301](#) (omnibus School Code bill)
- Signed into law December 13, 2023 by Governor Shapiro.
- Took immediate effect.

SENATE AMENDED

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 301 Session of  
2023

INTRODUCED BY HARKINS, SAMUELSON, KINSEY, HOHENSTEIN,  
SCHLOSSBERG, HILL-EVANS, CIRESI, SANCHEZ, D. WILLIAMS,  
PASHINSKI, MADDEN, NEILSON, WARREN, GALLOWAY, MALAGARI,  
FREEMAN, STURLA, KINKEAD, N. NELSON, CEPEDA-FREYITZ AND  
WAXMAN, MARCH 10, 2023

SENATOR MARTIN, APPROPRIATIONS, IN SENATE, RE-REPORTED AS  
AMENDED, NOVEMBER 14, 2023

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 SPECIAL PROVISIONS APPLICABLE TO LIMITED SCHOOL  
7 YEARS; IN DUTIES AND POWERS OF BOARD OF SCHOOL DIRECTORS,  
8 FURTHER PROVIDING FOR ADDITIONAL SCHOOLS AND DEPARTMENTS; IN  
9 GROUNDS AND BUILDINGS, FURTHER PROVIDING FOR LIMITATION ON  
10 NEW APPLICATIONS FOR DEPARTMENT OF EDUCATION APPROVAL OF  
11 PUBLIC SCHOOL BUILDING PROJECTS; IN SCHOOL DIRECTORS'  
12 ASSOCIATIONS AND COUNTY BOARDS OF SCHOOL DIRECTORS, FURTHER  
13 PROVIDING FOR POWERS AND DUTIES; IN INTERMEDIATE UNITS,  
14 FURTHER PROVIDING FOR VISUAL SERVICES AND FOR SCHOOL SAFETY  
15 AND SECURITY ENHANCEMENTS; IN CERTIFICATION OF TEACHERS,  
16 FURTHER PROVIDING FOR SUBSTITUTE TEACHING PERMIT FOR  
17 PROSPECTIVE TEACHERS AND FOR LOCALLY ISSUED TEMPORARY  
18 CERTIFICATION FOR SUBSTITUTE TEACHERS, REPEALING PROVISIONS  
19 RELATING TO PERMIT FOR CLASSROOM MONITORS AND PROVIDING FOR

A spiral-bound calendar is shown in the top-left corner, partially obscured by a large yellow curved shape that acts as a bookmark. The calendar grid shows days of the week (FRI, SAT, SUN) and dates (4, 5, 6, 7, 11, 12, 13, 14, 18, 19, 20, 21, 25, 26, 27, 28).

# What We'll Cover

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- Overview of the updates Act 33 of 2023 made to the School Safety and Security sections of the PA School Code, including:
  - SSSC Executive Committee and County Collaboratives
  - New SSSC/PCCD Responsibilities
  - Additional Statutory Updates
- Summary of Act 33 Deliverables and Timeline





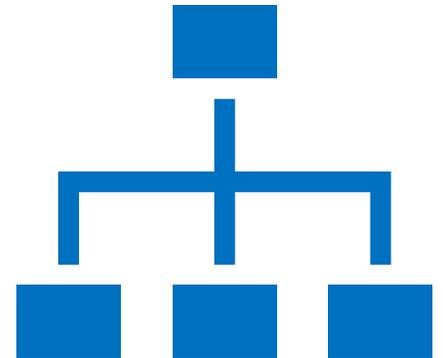
**SSSC Executive Committee  
and County Safe School  
Collaboratives**

# **\*New\*** Executive Committee

- Act 33 establishes a new Executive Committee within the SSSC responsible for identifying and reviewing current and emerging school safety issues and providing guidance and recommendations to the SSSC.
- Nine Executive Committee members\* are noted in the law:
  - 1) SSSC Chair;
  - 2) Secretary of Education;
  - 3) Attorney General;
  - 4) PSP Commissioner;
  - 5) PEMA Director; and
  - 6) Four individuals appointed by the four legislative caucuses.

*\*The Executive Committee can add other members as necessary.*

- The Attorney General or their designee serves as Chair of the Executive Committee.



# Executive Committee Duties

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**The Executive Committee is responsible for identifying/reviewing the following:**

- Data on issues and incidents reported through Safe2Say;
- Information arising from county safe schools' collaboratives (newly established under [Section 1310.1-B](#));
- Identification, prevention, and mitigation of potential threats of targeted violence in educational settings;
- Utilization of best practices among school entities related to threat assessment, bystander intervention and reporting, crisis intervention, and emergency preparedness and response; and
- Other incidents and issues impacting school safety in PA.



# SSSC Executive Committee Meetings

Required to meet at least every 2 months.

Closed meetings, but public notice and agenda is required.

Attorney General Chair is responsible for providing a summary of the meeting at SSSC meetings.

The Executive Committee ONLY provides guidance and recommendations for consideration by the full SSSC. It cannot take any official or formal actions on its own.



# **\*New\*** County Safe School Collaboratives



Act 33 allows a county, or counties, to optionally establish safe schools' collaboratives to 'distribute, promote and develop best practices applicable to emergency response involving school safety and security through an emergency planning approach.'



Generally comprised of school districts, emergency responders, and relevant school safety partners.



The collaborative 'shall identify and promote strategies, practices that align with those identified by the SSSC and programs that support safe schools for all students and staff and recommend implementation as part of a countywide or multicounty safe schools' plan.'



Meetings are confidential.



# County Safe School Collaboratives (cont.)



PA Emergency Management Agency (PEMA) in collaboration with the PA State Police (PSP) and the Office of Homeland Security are required to provide technical assistance to establish a county collaborative.



PEMA, PSP and Homeland Security are required to **report to the SSSC annually** beginning September 1, 2024, and each September 1 thereafter, the number of counties requesting technical assistance to form a collaborative.





**New SSSC/PCCD  
Responsibilities**

**\*New\***

## **SSSC/PCCD Responsibilities**

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Act 33 transitions elements of PDE's Office for Safe Schools to the SSSC/PCCD, and rebrands the Office into "Student Supports."

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PDE retains exclusive domain over certain duties that focus on supporting the behavioral needs of students.

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SSSC/PCCD inherits some of the Office's previous school safety duties.

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...and there are duties that we collaboratively share.

# “New” Duties of the SSSC

To advance practices to improve the safety and security of school entities within this Commonwealth, including developing policies and providing resources, training, guidance and assistance to schools and their partners (see [Section 1302.1-B](#)).

- To coordinate antiviolenence and school safety efforts between school, professional, parental, governmental, law enforcement and community organizations and associations.
- To collect, develop and disseminate information, policies, strategies and other information to assist in the development of programs to impact school and community violence and other school-safety-related issues.
- To provide training to school employees, school safety and security coordinators and communities on effective measures to prevent and combat school and community violence as well as school safety and security training under section 1310-B and coordinator training under section 1316-B.
- In coordination with PDE, establish, periodically review, and update baseline criteria for physical security and behavioral health.

# New Duties of the SSSC (continued)

- **Approved Vendors.** With PSP, establish criteria for certifying approved vendors to provide school police officers to nonpublic schools.
- **School Incident Data and Reporting.** With PDE, assist public and nonpublic schools on the development of policies to enhance safety and security, including policies addressing possession of weapons, acts of violence, protocols for coordination with law enforcement officials and reporting.
- **Review of all school safety reporting requirements and report to the General Assembly.**
- **Regulations.** Update PDE/State Board of Education Chapter 10 regulations within three years.
- **Grant Programs.** SSSC/PCCD is tasked with administering funding related to mental health, school safety & security grants, and the transferred Targeted School Safety Grants for Nonpublic Schools and School Entities Grant Program from PDE.

# Approved Vendors for School Police Officers

With PSP, SSSC now responsible for establishing criteria for certifying approved vendors to provide SPOs to nonpublic schools for Targeted Grants and publishing a list of approved vendors on PCCD's website.

**NOTE:** PDE/PSP had originally approved 14 vendors to provide SPO services; PCCD has 33 approved vendors to provide School Security Guard services; 8 approved vendors overlap between the two listings.



# School Incident Data and Reporting

Currently, all chief school administrators of school districts, CTCs, IUs, and charter schools are required to report incidents involving acts of violence, drugs, and possession of weapons on school property to PDE by July 31<sup>st</sup> annually.

As part of the incident reporting process and to address issues of violence occurring on school property, the law currently requires schools to set up a memorandum of understanding with each law enforcement agency with jurisdiction to facilitate responses and reporting.

# School Incident Data and Reporting

- **Act 33 DOES NOT change how school incident data is collected and reported, nor the MOU process...but it DOES:**
  - Allow the SSSC to request incident data submitted to PDE (10-day response time).
  - Require PDE to work with the SSSC on the forms to be used by school entities and police departments for reporting incidents and review them biennially and revise when necessary.
  - With PDE, verify that each school entity has complied with reporting and MOU requirements. *\*\*Important: No grant funding until this requirement satisfied!*
  - With PDE, publish and post on PCCD's website a school safety annual report no later than Nov. 1 outlining all incidents required to be reported and school entities that failed to submit a report. *\*\*Important: No grant funding until this requirement satisfied!*
  - Require the SSSC to conduct a review and make recommendations to the General Assembly on updating the law.
  - Requires the SSSC to update current regulations (Chapter 10).



# Report to the General Assembly

## **SSSC is tasked with reviewing:**

- All required reporting under Section 1319-B (Reporting and Memorandum of Understanding), including consideration of criminal offenses on school property;
- All required reporting under Articles XIII-B (relating to school safety) and XIII-C (relating to school security personnel); and

**Developing a report of findings and recommendations** to the General Assembly, including whether the appropriate amount of data is being collected and, if applicable, proposing the elimination of any duplicative reporting requirements.

# School Safety Regulations

**Current PDE Chapter 10 regulations overseeing the model MOU with law enforcement and reporting protocols remain in effect for three years. The SSSC, PDE, and State Board of Education shall continue to enforce them until replaced.**

**SSSC/PCCD will be responsible for the development and promulgation of new, final-omitted regulations that include:**

- A model MOU between school entities and law enforcement (which must be reviewed every three years and revised as necessary);
- A protocol for the required, immediate and discretionary notification of law enforcement by chief school administrators when certain criminal offenses occur on school property;
- Protocol for emergency and nonemergency response by law enforcement; and
- Procedures and protocols if a student with a disability commits an incident on school property.



# Grant Funding – Mental Health



\$100 million appropriated for federal COVID Relief – ARPA – **School Mental Health (MH) Grants** (*i.e.*, \$90 million for grants; \$5 million for PDE training of school-based MH professionals; \$5 million to PHEAA for School MH Internship Program)



**Noncompetitive, formula grants** for school districts, area career and technical centers (CTCs), intermediate units (IUs), and charter schools, including regional charter schools and cyber charter schools. Like FY22-23, SD receive \$100,000+AADM bump and other eligible entities \$70,000.



**Spending is still tied to meeting Level 1 Behavioral Health Baseline Criteria first**, but once met, schools can expend funds on a wide variety of mental health and behavioral health needs.

# Grant Funding – School Safety & Security Fund

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- **\$50 million in state funding to the School Safety and Security Fund**
  - NOTE: \$5 million was carved out to PCCD to use “for grants to implement innovative school safety and security initiatives” per Act 34 of 2023 (Fiscal Code earmark).
- **Using Section 1306-B of the PA Public School Code:**
  - \$18,655,000 for Meritorious Grant distribution to all school districts.
  - \$26,345,000 for Competitive Grant distribution to eligible applicants (i.e., school entities as defined under Section 1301-B: a school district, intermediate unit, area career and technical school, charter school, cyber charter school, regional charter school, approved private school, chartered school for the education of the deaf or the blind or private residential rehabilitative institutions).

# Grant Funding - Targeted School Safety Grants for Nonpublic Schools & School Entities



Historically, PDE had administered this separate school safety grant program supported by an \$11 million line-item in the state budget.



New under Act 33, the program was shifted to the SSSC/PCCD.

\$22 million allocated in the supporting state line-item, with \$20.7M to PCCD.

At least \$14,551,000 must go to IUs/Nonpublic School Grants.



Specific eligible applicants and activities delineated in statute, including priority criteria in some cases, such as SPOs (largely carryover language).



IUs may request up to 5% in indirect/admin costs for grants received by nonpublic schools (consistent with past levels).



# Additional Statutory Updates



# Violence Intervention & Prevention Grant Program Authorization

- ***Violence Intervention & Prevention (VIP) Grants (\$40M)***
  - Authorization for FY23-24 funding and future VIP appropriations provided within Act 33.

# School Police Officers – Court Orders



School entities or nonpublic schools applying to the court to appoint person(s) to act as SPOs shall submit a copy of the court's order to the SSSC within 30 days of approval of the appointment (120 days if previously appointed).



Same confidentiality protections apply for this information as the other data collected by the SSSC.



PCCD will be setting up a webpage to collect this information.



# School Police Officers – Reporting on Training

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School entities and nonpublic schools employing/contracting with SPOs are required to report data annually to the Department, SSSC and PCCD regarding required training, including:

- the number of SPOs employed or contracted,
- municipalities where the school entity or nonpublic school is located, and
- the date and type of training provided to each SPO.

# Office of Safe School Advocate Updates

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Office of the Safe School Advocate (OSSA) language moved from Article XIII-A to Article XIII-B.

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Most current provisions related to OSSA's duties remain the same, but there were some edits to focus the Office to be more victim-centered.





# Summary of Act 33 Deliverables and Timeline

# Act 33 Major Deliverables Timeline

- **January – April 2024:** Issue School Safety Grant Funding
  - Formula funding goal: March 31, 2024
  - Competitive funding goal: April 24, 2024
- **February 2024:** Convene first meeting of the Executive Committee, and set bi-monthly meetings thereafter; work with PSP on approved vendor list for SPOs
- **March 2024:** Approve VIP Awards
- **Later in 2024:**
  - Conduct Review/Report to General Assembly
  - Update Assessment Criteria to reflect Baseline Criteria changes
- **December 13, 2026:** Deadline for Regulation Update





Email Questions about this  
Presentation to  
[RA-CD-SSSC@PA.GOV](mailto:RA-CD-SSSC@PA.GOV)