

ACT 18 & ACT 67 OF 2019

IMPLICATIONS FOR SCHOOL DISTRICTS IN NORTHAMPTON, MONROE AND PIKE COUNTIES

On June 28, 2019, the Pennsylvania General Assembly passed Act 18 of 2019. The Act builds upon Act 44 of 2018 which defined responsibilities for Pennsylvania school districts as it relates to student safety and security. On July 2, 2019, the legislature passed Act 67 of 2019, which provides additional guidance as it relates to the role of school safety personnel. This document outlines the implications of these acts school districts in Northampton, Monroe and Pike Counties.

TRAUMA-INFORMED EDUCATION

A key component of Act 18 is additional clarification around trauma and trauma-informed education. The standards set forth in Act 18 apply to all school entities, including public, nonpublic, private, and technical schools.

TRAINING AND PROFESSIONAL DEVELOPMENT: TRAUMA-INFORMED APPROACHES

Additional training is now required for school leaders, administrators, directors, educators, and employees.

Professional Education Plans of each school entity shall include a minimum of one (1) hour of required training in trauma-informed approaches.

Employee Training. School entities shall provide school employees with training on trauma-informed approaches. The training shall address, but shall not be limited to:

- Recognition of the signs of trauma in students.
- Best practices for schools and classrooms regarding trauma-informed approaches, including utilization of multi-tiered systems of support.
- Recognition of the signs of the impact of secondary trauma on school employees and appropriate resources for school employees who are experiencing secondary trauma.
- The school entity's policies regarding trauma-informed approaches.

The school entity's policies regarding connecting students with appropriate services. The school entity shall make a reasonable effort to facilitate a time and location for school employees to participate in training during paid working hours or inservice training.

DEFINITIONS

Trauma includes results from an event, series of events, or set of circumstances experienced by an individual as physically or emotionally harmful or threatening and that has lasting adverse effects on the individual's cognitive functioning and physical, social, emotional, mental, or spiritual well-being.

Trauma-Informed Approach - A school-wide approach to education and a classroom-based approach to student learning that recognizes the signs/symptoms of trauma and responds by fully integrating knowledge about trauma into policies, professional learning, procedures, and practices for the purposes of recognizing the presence and onset of trauma, resisting the recurrence of trauma, and promoting resiliency tailored to a school entity's culture, climate and demographics, and the community as a whole.

School Directors who are newly elected or appointed shall complete a minimum of five (5) hours of instruction, at least one (1) hour of which will be focused on trauma-informed approaches.

Within one (1) year of reelection or reappointment, school directors shall complete an advanced training program. Trauma-informed approaches will be included in the three (3) hours minimum of training.

Trustees serving charter schools are subject to the same training programs as school directors.

THREAT ASSESSMENT TEAMS

Act 18 mandates that each school entity must establish at least one team for the assessment of – and intervention with – students whose behavior may indicate a threat to the safety of themselves or others.

Responsibilities. The teams must be trained, make materials available to students and employees, ensure employees understand the process for reporting at-risk behavior, assess and respond to at-risk behavior, and notify parents and guardians.

NOTIFICATION & REFERRAL

Upon a preliminary determination that a student's behavior may indicate a safety threat to his/herself or others, the following shall apply:

1. The team shall immediately inform the chief school administrator or designee, the student's principal, and the school safety and security coordinator. The building principal or designee shall immediately notify the student's parent or guardian.
2. Following notification of the parent/guardian, the team may refer the student, as appropriate, to:
 - A Student Assistance Program
 - A Law Enforcement Agency
 - An Evaluation under the Individuals with Disabilities Act
 - A Student's Existing Individualized Education Program Team
 - An existing team established under either the Individuals with Disabilities Act or the Rehabilitation Act of 1973
3. A parent or guardian shall provide consent Prior to a team referring a student to:
 - A Behavioral Service Provider
 - A Health Care Provider
 - A County Agency

TEAM MAKEUP

The Threat Assessment Team shall include individuals with expertise in the following areas:

- School Health
- Counseling, School Psychology, or Social Work
- Special Education
- School Administration

In addition, the team must include the appointed School Safety and Security Coordinator and other qualified professionals, including:

- School Security Personnel
- Law Enforcement Agency Representation
- Behavioral Health Professionals
- The individual identified by the school entity to receive reports from the Safe2Say Program
- An individual who serves the student assistance program
- Juvenile probation professionals

SCHOOL SECURITY PERSONNEL

Act 67 provides further guidance as it relates to school police officers, school resource officers, and school security guards in both public and nonpublic schools. Changes to the School Code include:

All School Security Personnel must now complete the basic school resource officer course of instruction offered by the National Association of School Resource Officers (or an approved equivalent course). Currently employed personnel must complete the training before January 2, 2020.

School Police Officers are also required to complete the basic training required by the Municipal Police Officers' Education and Training Commission. School Police Officers are also required to attend an annual in-service approved by the MPOETC. In addition, School Police Officers no longer have the authority to make arrests, but may still issue citations.

School Resource Officers. The definition has been expanded to include an active certified sheriff or deputy sheriff.

School Security Guards may now be permitted to carry a firearm, providing they are licensed under the Uniform Firearms Act, certified under the Lethal Weapons Training Act, have completed the NASRO training, and have satisfied all clearance requirements.

If a School Security Guard is an active or retired law enforcement officer, he or she is exempt from the training requirements but must present additional documentation. **For active law enforcement:** Evidence of completion of municipal police education and training. **For retired law enforcement:** Compliance with Section 8.1 of Lethal Weapons Training Act or issuance of firearm training and qualification card under the Retired Law Enforcement Identification Act.

Dr. Christopher Wolfel
Executive Director
610-515-6403 cwolfel@ciu20.org



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Intermediate Unit 20