
Senate Education

June 11, 2013

The committee met to consider three bills.

T [SB 31 Fontana, Wayne](#) - (PN 690) Amends Title 23 (Domestic Relations), in child protective services, to further provide for definitions and to require certain persons to perform dual reporting to both their supervisors and an enumerated child protective services. The bill allows school employees to report, with reasonable cause, abuse based upon their observations combined with training. The legislation provides for requirements of the report and removes a subchapter detailing different reporting standards for students in public and private schools. - The bill was unanimously **reported as amended**.

Sen. Wayne Fontana (D-Allegheny), prime sponsor of the bill, noted that he has sponsored the legislation every session since 2005 and said the original bill stemmed from an incident to a student in his legislative district. "Pennsylvania is the only state in the country that has a separate standard for student abuse," he stated. "There's a package of bills coming together and this is just one part of it."

[A02021](#) by Dinniman, further expands the definitions of "founded report," "indicated report," and "school." The definition of a "founded report" of child abuse is clarified to say that a report can be based on a judicial adjudication that includes a finding of dependency or delinquency where the court has entered a finding that a child who is the subject of the report has been abused. In addition, a report can be based on a judicial adjudication where there has been a consent decree entered in a juvenile proceeding when there is an acknowledgement, admission or finding that a child who is the subject of the report has been abused by the child who is allegedly delinquent. The amendment adds a requirement to the definition of "indicated report" that a report by a county agency may be indicated only upon the approval of both the county agency administrator and solicitor. It also makes a technical change and deletes the definition of "founded report for school employee."

Minority Chairman Andrew Dinniman (D-Chester) explained a package of bills recommended by the Task Force on Child Protection is moving through the legislature and the amendment ensures that all of the language in the bill package is compatible. "I would hope we vote to put it forward with the recognition that there are very legitimate concerns by the PSEA and the PSBA," he stated. "There is language to be worked out but this is just the beginning." The amendment was unanimously **adopted**.


N [SB 78 Greenleaf, Stewart](#) - (PN 43) Amends the Higher Education Scholarship Law further providing for eligibility of scholarships by adding that the recipient shall be free to enroll at any approved institution of his choice and apply the scholarship toward the tuition, room, board, books and fees of that institution, regardless of the percentage of credit or clock hours required for completing a program of study through online courses. - The bill was unanimously **reported as amended**.

[A02020](#) by Greenleaf, rewrites the bill to create the Distance Education Program within the Pennsylvania Higher Education Assistance Agency (PHEAA) to provide for grants to students enrolled in approved distance education programs. PHEAA would be responsible for administration of the distance education program and may establish guidelines to fulfill its responsibilities. It is also permitted to collect student and school data so long as it complies with the rights and responsibilities of the Pennsylvania State Grant Program. Eligible higher education institutions must apply to PHEAA to participate in the Distance Education Program. Once approved, a student enrolled in an approved higher education institution's distance education program shall submit an application for a State grant. If eligible, the student may receive a state grant so long as resources are available. This grant may not exceed the per year amount under the State grant program. The Distance Education Program shall apply to academic years 2013-

2014 through 2017-2018 and expire on June 30, 2018. It also changes the effective date to July 1, 2013 or immediately, whichever is later. The amendment was unanimously **adopted**.

Sen. Stewart Greenleaf (R-Montgomery), prime sponsor of the legislation, said the amendment was a compromise and thanked all stakeholders involved. "We should not be discriminating against students who use distance learning; it's the fastest growing portion of higher education," he stated. "We know that higher education institutions have raised their rates significantly over the years sometimes for prestigious reasons, sometimes for economic reasons but for whatever the reason our young people have ended up a large debt. This will provide some degree of competition in higher education."

Sen. Rob Teplitz (D-Dauphin) noted that he and his wife both teach online college courses and questioned who would determine if the program would be expanded beyond the five years identified in the bill. Sen. Greenleaf said PHEAA would make the determination and added that PHEAA also "has the discretion of how much money to put into the program." He opined, "I'm confident it will be successful and they will make it a permanent program."

 [SB 606 Dinniman, Andrew](#) - (PN 576) Amends the Public School Code providing each school entity shall provide for and maintain an automatic external defibrillator in each instructional school building for use during emergencies. Requires the Department of Education to establish an automatic external defibrillator program to assist school entities and nonpublic schools in acquiring automatic external defibrillators. Requires the Department of General Services seek bids to purchase the number of AED's needed to ensure one for every public instructional school building in Pennsylvania. The Department of Education shall assist public school entities in acquiring automatic external defibrillators at a subsidized price. Appropriates \$3 million from the Tobacco Settlement Fund for the program. - The bill was unanimously **reported as amended**.

[A02034](#) by Dinniman, removes the requirement that each instructional school building have an AED. It also utilizes the prior Automatic External Defibrillator Grant Program, but removes the PDE reporting requirement to the General Assembly and the specific \$3 million from the Tobacco Settlement Fund. This document is a summary of proposed legislation and is prepared only as general information for use by Members and staff of the Senate of Pennsylvania. The document does not represent the legislative intent of the Senate of Pennsylvania and may not be utilized as such. Under the amendment, funds may be appropriated from the Tobacco Settlement Fund with funding priority given to school entities with the highest aid ratio. The amendment was unanimously **adopted**.

Chairman Dinniman explained why the aid ratio is used to distribute the funds. "Many of the more well-to-do school districts have these defibrillators but some of these schools that are undergoing some of these tremendous financial difficulties are having difficulty getting anything including textbooks never mind the defibrillators themselves," he stated. "The amendment essentially reinstates the original program. Any time that any of us can save the life of a child is an important time."

[A02094](#) by Dinniman names the legislation "Aiden's Law." The amendment was unanimously **adopted**.

Chairman Dinniman noted that the father, Steve, of a student, Aiden, who passed away from sudden cardiac arrest was in attendance at the meeting. "Both Steve and his wife are really the impetus behind our efforts to have more defibrillators in every school," he stated.