

AMENDMENTS TO SENATE BILL NO. 1142

Sponsor: REPRESENTATIVE SAYLOR

Printer's No. 1828

1 Amend Bill, page 1, lines 1 and 2, by striking out all of
2 said lines and inserting
3 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
4 act relating to the public school system, including certain
5 provisions applicable as well to private and parochial
6 schools; amending, revising, consolidating and changing the
7 laws relating thereto," in school finances, further providing
8 for intergovernmental agreements for school security and
9 safety; in grounds and buildings, further providing for
10 school police officers; in safe schools, further providing
11 for the Office for Safe Schools; providing for school safety
12 and security and for school police officers and school
13 resource officers; establishing the School Safety and
14 Security Fund; establishing the Safe2Say Program; and
15 providing for methods of anonymous reporting concerning
16 unsafe activities in schools.

17 Amend Bill, page 1, lines 5 through 16; pages 2 through 7,
18 lines 1 through 30; page 8, lines 1 through 8; by striking out
19 all of said lines on said pages and inserting

20 Section 1. Sections 617 and 778 of the act of March 10, 1949
21 (P.L.30, No.14), known as the Public School Code of 1949, are
22 repealed:

23 [Section 617. Intergovernmental Agreements for School
24 Security and Safety.--The board of school directors of a school
25 district may enter into agreements with other political
26 subdivisions to provide for the safety and security of the
27 school. The board of school directors may use school funds to
28 share costs with municipalities and counties for such expenses
29 as benefits and salaries of school resource officers and
30 probation officers. Such officers are not required to be
31 employes of the school district and may be employes of other
32 political subdivisions.

33 Section 778. School Police Officers.--(a) Any school entity
34 or nonpublic school may apply to any judge of the court of
35 common pleas of the county within which the school entity or

1 nonpublic school is situated to appoint such person or persons
2 as the board of directors of the school entity or administration
3 of the nonpublic school may designate to act as school police
4 officer for said school entity or nonpublic school. The judge,
5 upon such application, may appoint such person, or so many of
6 them as he may deem proper, to be such school police officer and
7 shall note the fact of such appointment to be entered upon the
8 records of the court. The judge may, at the request of the
9 school entity or nonpublic school, grant the school police
10 officer the power to arrest as provided in subsection (c)(2),
11 the authority to issue citations for summary offenses or the
12 authority to detain students until the arrival of local law
13 enforcement, or any combination thereof.

14 (a.1) Any school entity or nonpublic school which employs a
15 school police officer under this section shall report annually
16 to the Department of Education, Office of Safe Schools, the
17 following information regarding school police officers receiving
18 training as required under 53 Pa.C.S. Ch. 21 Subch. D (relating
19 to municipal police education and training):

20 (1) The identity of the school entity or nonpublic school
21 and the number of school police officers it employs.

22 (2) The municipalities comprising the school entity or in
23 which the nonpublic school is located.

24 (3) The date and type of training provided to each school
25 police officer.

26 (b) Every school police officer so appointed shall, before
27 entering upon the duties of his office, take and subscribe to
28 the oath required by the seventh article of the Constitution,
29 before an alderman or justice of the peace or prothonotary. Such
30 oath shall be filed by the justice of the peace, alderman, or
31 prothonotary among his papers, and a note made upon his docket
32 of the fact of the oath having been taken.

33 (b.1) Every school police officer who has been granted
34 powers under subsection (c)(2) or (3) or has been authorized to
35 carry a firearm must, before entering upon the duties of his
36 office, successfully complete training as set forth in 53
37 Pa.C.S. Ch. 21 Subch. D or have graduated from the Pennsylvania
38 State Police Academy and have been employed as a State trooper
39 with the Pennsylvania State Police.

40 (c) Such school police officer so appointed shall severally
41 possess and exercise all the following powers and duties:

42 (1) To enforce good order in school buildings, on school
43 buses and on school grounds in their respective school entities
44 or nonpublic schools. For purposes of this clause, the term
45 "school bus" shall include vehicles leased by the school entity
46 or nonpublic school to transport students and vehicles of mass
47 transit used by students to go to and from school when the
48 school police officer is responding to a report of an incident
49 involving a breach of good order or violation of law.

50 (2) If authorized by the court, to exercise the same powers
51 as are now or may hereafter be exercised under authority of law

1 or ordinance by the police of the municipality wherein the
2 school property is located.

3 (3) If authorized by the court, to issue summary citations
4 or to detain individuals until local law enforcement is
5 notified.

6 (d) Such school police officer shall, when on duty,
7 severally wear a metallic shield or badge with the words "School
8 Police," and the name of the school entity or nonpublic school
9 for which appointed. Such shield shall always be worn in plain
10 view when on duty except when employed as detective.

11 (e) The compensation of such school police officers shall be
12 paid by the school entity or nonpublic school for which the
13 school police officers are respectively appointed, as may be
14 agreed upon between the board of school directors or
15 administration of the nonpublic school and the school police
16 officer.

17 (f) School entities or nonpublic schools and municipalities
18 may enter into cooperative police service agreements pursuant to
19 42 Pa.C.S. § 8953(e) (relating to Statewide municipal police
20 jurisdiction) and 53 Pa.C.S. § 2303 (relating to
21 intergovernmental cooperation authorized) to authorize the
22 exercise of concurrent jurisdiction with local law enforcement
23 within the municipality where the school or school entity or
24 nonpublic school is located or within the municipality in which
25 a school event or activity will take place.

26 (f.1) (1) If a school is located within a municipality
27 where no municipal police department exists, the school entity
28 or nonpublic school may enter into a cooperative police service
29 agreement pursuant to 42 Pa.C.S. § 8953(e) and 53 Pa.C.S. § 2303
30 with a municipality providing full-time police coverage that is
31 located adjacent to the school. At least thirty (30) days prior
32 to executing a cooperative police service agreement under this
33 subsection, the school entity or nonpublic school shall provide
34 written notice of its intent to enter into the agreement to the
35 municipality where the school is located. A copy of the executed
36 agreement shall be provided to the commanding officer of the
37 Pennsylvania State Police installation that provides primary
38 police services to the municipality where the school is located.

39 (2) A cooperative police service agreement entered into
40 under this subsection shall only pertain to actions taken on
41 school property pursuant to the agreement and shall not affect
42 the jurisdiction of the Pennsylvania State Police.

43 (g) When acting within the scope of this section, school
44 police officers shall, at all times, be employees of the school
45 entity or nonpublic school and shall be entitled to all of the
46 rights and benefits accruing therefrom.

47 (h) Nothing in this section shall be construed to preclude a
48 school entity or nonpublic school from employing other security
49 personnel as the school entity or nonpublic school deems
50 necessary.

51 (i) As used in this section, "school entity" shall have the

1 same meaning given to it under section 222(c).]

2 Section 2. Section 1302-A(e) of the act is amended and the
3 section is amended by adding a subsection to read:

4 Section 1302-A. Office for Safe Schools.--* * *

5 (e) The sum appropriated annually to the Department of
6 Education for the purpose of making targeted grants under this
7 section shall be allocated as follows:

8 (1) [Forty] Twenty-five percent of the sum shall be
9 allocated for grants under subsection (c).

10 (2) [Sixty] Seventy-five percent of the sum shall be
11 allocated for grants under subsection (c.1).

12 (e.1) Any grant funding allocated under subsection (c.1)
13 above the amount allocated in fiscal year 2017-2018 may be
14 prioritized for nonpublic schools.

15 * * *

16 Section 3. The act is amended by adding articles to read:

17 ARTICLE XIII-B

18 SCHOOL SAFETY AND SECURITY

19 Section 1301-B. Definitions.

20 The following words and phrases when used in this article
21 shall have the meaning given to them in this section unless the
22 context clearly indicates otherwise:

23 "Commission." The Pennsylvania Commission on Crime and
24 Delinquency.

25 "Committee." The School Safety and Security Committee
26 established under section 1302-B.

27 "Fund." The School Safety and Security Fund established
28 under section 1306-B(h).

29 "Program." The School Safety and Security Grant Program
30 established under section 1306-B(a).

31 "School entity." A school district, intermediate unit, area
32 vocational-technical school, charter school or private
33 residential rehabilitative institution.

34 "School safety and security assessment." A strategic
35 evaluation of a school entity's facilities and programs used to
36 identify potential safety and security threats.

37 Section 1302-B. School Safety and Security Committee.

38 (a) Establishment.--The School Safety and Security Committee
39 is established within the commission.

40 (b) Composition.--The committee shall consist of a
41 chairperson and the following members:

42 (1) The Secretary of Education or a designee.

43 (2) The Attorney General or a designee.

44 (3) The Commissioner of Pennsylvania State Police or a
45 designee.

46 (4) The Director of the Pennsylvania Emergency
47 Management Agency or a designee.

48 (5) An individual appointed by the President pro tempore
49 of the Senate.

50 (6) An individual appointed by the Minority Leader of
51 the Senate.

1 (7) An individual appointed by the Speaker of the House
2 of Representatives.

3 (8) An individual appointed by the Minority Leader of
4 the House of Representatives.

5 (9) The chairperson of the commission or a designee.

6 (10) The Secretary of Human Services or a designee.

7 (11) A recognized subject matter expert in strategic
8 security appointed by the Governor from three names submitted
9 jointly by the President pro tempore of the Senate and the
10 Speaker of the House of Representatives.

11 (12) The following members appointed by the Governor:

12 (i) An individual recommended by the Pennsylvania
13 Association of School Business Officials with experience
14 in school safety and security matters.

15 (ii) An individual recommended by the Pennsylvania
16 Association of School Administrators with experience in
17 school safety and security matters.

18 (iii) An individual member of local law enforcement
19 recommended by the State Fraternal Order of Police.

20 (iv) A child psychologist who specializes in mental,
21 social and emotional development of children recommended
22 by the Pennsylvania Psychological Association.

23 (v) A licensed clinical social worker recommended by
24 the Pennsylvania Society for Clinical Social Work.

25 (vi) An architect recommended by the American
26 Institute of Architects of Pennsylvania with experience
27 in school building safety and security matters.

28 (c) Chairperson.--The chairperson of the committee shall be
29 selected by the Governor from among the members of the
30 committee.

31 (d) Vice chairperson.--A vice chairperson shall be
32 designated by the chairperson of the committee from among the
33 members of the committee to preside at meetings in the absence
34 of the chairperson.

35 (e) Term.--Members of the committee shall serve a four-year
36 term.

37 (f) Quorum.--A majority of the members of the committee
38 shall constitute a quorum and a quorum shall be required for all
39 actions.

40 (g) Actions.--A vote of the majority of the members of the
41 committee present shall be sufficient for all actions taken by
42 the committee.

43 (h) Initial meeting.--The committee shall hold its first
44 meeting no later than 30 days from the effective date of this
45 subsection.

46 (i) Cooperation.--The commission shall cooperate with the
47 committee to select staff to be employed by the commission and
48 assigned to assist the committee in carrying out its duties.
49 Section 1303-B. School safety and security assessment criteria.

50 (a) Duty to establish.--No later than September 30, 2018,
51 the committee shall establish criteria to be used when

1 conducting school safety and security assessments that include
2 the following:

3 (1) A physical assessment. The physical assessment shall
4 be conducted during calendar months when school is in session
5 and shall consist of an evaluation of the school entity's
6 structural facilities and surrounding property that includes:

7 (i) A review of the school entity's existing school
8 safety and security plan.

9 (ii) A review of the school entity's existing plans
10 for crisis response and mitigation.

11 (iii) An analysis of the school entity's crime
12 prevention policy or practices, including environmental
13 design.

14 (iv) Discussions with the local law enforcement
15 agencies that are primarily responsible for protecting
16 and securing the school.

17 (v) An analysis of the school entity's cooperative
18 agreements with the local law enforcement agencies that
19 are primarily responsible for protecting and securing the
20 school.

21 (vi) Discussions with the school entity's employees.

22 (2) A policy and training assessment. The policy and
23 training assessment shall consist of an evaluation of the
24 school entity's policies and practices, including:

25 (i) An analysis of the school entity's policies
26 related to student safety, security and management
27 issues.

28 (ii) Discussions with the school entity's employees.

29 (iii) A review of the school entity's student code
30 of conduct.

31 (iv) A review of the school entity's safety and
32 security training practices.

33 (v) Recommendations for effective school safety and
34 security training and practices for all school entity
35 employees.

36 (vi) An analysis of the school entity's
37 communications practices and available technology and
38 tools.

39 (3) A student assistance and behavioral health support
40 assessment. The student assistance and behavioral health
41 support assessment shall consist of an analysis of the school
42 entity's climate, including:

43 (i) The availability of student assistance programs
44 and behavioral health professionals to provide assistance
45 to the school entity.

46 (ii) A review of recommendations by behavioral and
47 physical health professionals and consideration of their
48 recommendations.

49 (b) Periodic review of criteria.--The committee shall review
50 the criteria established in subsection (a) at a minimum every
51 three years and may make revisions as needed.

Section 1304-B. School safety and security assessment providers.

(a) Duty to provide registration.--No later than October 31, 2018, the committee shall establish criteria for registration of a person with knowledge and experience in matters of school safety and security that qualifies the person to conduct school safety and security assessments based upon the criteria established by the committee beginning October 31, 2018.

(b) Periodic review of criteria.--The committee shall review the criteria established in subsection (a) at a minimum every three years and may make revisions as needed.

(c) Registration.--The person shall apply for registration as a provider to the committee in a manner prescribed by the committee.

Section 1305-B. Survey of school safety and security.

(a) Development.--No later than October 31, 2018, the committee shall develop a survey instrument to distribute to school entities to measure school safety and security preparedness throughout this Commonwealth.

(b) Completion.--No later than November 30, 2018, each school entity shall complete the survey instrument under subsection (a) and indicate whether it possesses a pre-existing school safety and security assessment that was completed within the last three years. If the school entity possesses a pre-existing school safety and security assessment that was completed within the last three years, it shall submit a copy of its pre-existing school safety and security assessment to the committee along with the survey instrument, unless a delay is approved by the committee on a case-by-case basis.

(c) Review.--

(1) No later than January 31, 2019, the committee shall complete a review of each survey received from a school entity to:

(i) Evaluate the school entity's safety preparedness.

(ii) If a pre-existing school safety and security assessment was submitted, determine whether the school safety and security assessment meets the criteria established by the committee.

(2) Upon completion of the review under paragraph (1), the committee shall notify a school entity of its findings.

(d) Engagement.--The committee may engage registered assessment providers to complete the review required under subsection (c).

(e) Confidentiality of data.--Any data collected through the survey instrument by the committee and the findings of the committee shall remain confidential and shall not be subject to the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law.

Section 1306-B. School Safety and Security Grant Program.

(a) Establishment.--The School Safety and Security Grant

1 Program is established to make school entities within this
2 Commonwealth safer places.

3 (b) Functions generally.--The committee shall perform all
4 functions related to the direct approval, disbursement and
5 administration of grants under the program.

6 (c) Diversity.--The committee shall ensure that grant
7 funding under the program is geographically dispersed throughout
8 this Commonwealth.

9 (d) Supplement and not supplant.--Grant money allocated
10 through the program shall be used to supplement and not supplant
11 existing school entity spending on school safety and security.

12 (e) Effect of revenue received.--Grant money received by a
13 school entity under this section may not be included when
14 calculating the amount to be paid to a charter school under
15 section 1725-A.

16 (f) Minimum allocation.--Each school district that makes a
17 meritorious application as prescribed by the committee under
18 subsection (j) shall receive a minimum grant allocation of
19 \$25,000 annually.

20 (g) Limitation.--Each school entity may submit one
21 application annually and no school entity may receive an annual
22 grant allocation that exceeds 10% of the funds available under
23 the grant program.

24 (h) School Safety and Security Fund.--

25 (1) The School Safety and Security Fund is established
26 as a special nonlapsing fund in the State Treasury.

27 (2) All money deposited in the fund and the interest it
28 accrues are appropriated to the commission on a continuing
29 basis to award grants under this article.

30 (3) No administrative action shall prevent the deposit
31 of money into the fund in the fiscal year in which the money
32 is received.

33 (4) The fund may only be used for the grant program
34 authorized under this article and no money in the fund may be
35 transferred or diverted to any other purpose by
36 administrative action.

37 (5) Money available to the fund shall include
38 appropriations and transfers from the General Fund, special
39 funds, Federal funds and other sources of revenue made
40 available to it.

41 (6) Money of the fund shall be allocated for the purpose
42 of making grants under this section no later than October 31,
43 2019, and each October 31 thereafter.

44 (7) Not more than 12.5% of the fund may be allocated
45 annually for grants under subsection (j)(22).

46 (i) Community violence prevention programs.--

47 (1) For the purpose of subsection (j)(22),
48 municipalities, institutions of higher education, community-
49 based organizations and other entities approved by the
50 committee shall be deemed school entities.

51 (2) (Reserved).

1 (j) Specific purposes.--The committee shall provide grants
2 to school entities for programs that address safety and
3 security, including:

4 (1) Safety and security assessments that meet the
5 committee's criteria.

6 (2) Conflict resolution or dispute management, including
7 restorative justice strategies.

8 (3) School-wide positive behavior support that includes
9 primary or universal, secondary and tertiary supports and
10 interventions in school entities.

11 (4) School-based diversion programs.

12 (5) Peer helper programs.

13 (6) Risk assessment, safety-related, violence prevention
14 curricula, including dating violence curricula and
15 restorative justice strategies.

16 (7) Classroom management.

17 (8) Student codes of conduct.

18 (9) Training to undertake a districtwide assessment of
19 risk factors that increase the likelihood of problem
20 behaviors among students.

21 (10) Development and implementation of research-based
22 violence prevention programs that address risk factors to
23 reduce incidents of problem behaviors among students,
24 including, but not limited to, bullying.

25 (11) Thorough, districtwide school safety, violence
26 prevention, emergency preparedness and all-hazards plans,
27 including revisions or updates to such plans and conducting
28 emergency preparedness drills and related activities with
29 local emergency responders.

30 (12) Security planning and purchase of security-related
31 technology, which may include metal detectors, protective
32 lighting, specialty trained canines, surveillance equipment,
33 special emergency communications equipment, automated
34 external defibrillators, electronic locksets, deadbolts,
35 trauma kits and theft control devices and training in the use
36 of security-related technology. Security planning and
37 purchase of security-related technology shall be based on
38 safety needs identified by the school entity's board of
39 school directors.

40 (13) Institution of student, staff and visitor
41 identification systems, including criminal background check
42 software.

43 (14) Provision of specialized staff and student training
44 programs, including training for Student Assistance Program
45 team members in the referral of students at risk of violent
46 behavior to appropriate community-based services and
47 behavioral health services and training related to prevention
48 and early intervention.

49 (15) Counseling services for students.

50 (16) A system for the management of student discipline,
51 including misconduct and criminal offenses.

1 (17) Staff training programs in the use of positive
2 behavior supports, de-escalation techniques and appropriate
3 responses to student behavior that may require immediate
4 intervention.

5 (18) Costs associated with the training and compensation
6 of school resource officers and school police officers.

7 (19) Costs associated with the training and compensation
8 of certified guidance counselors, licensed professional
9 counselors, licensed social workers, licensed clinical social
10 workers and school psychologists.

11 (20) Administration of evidence-based screenings for
12 adverse childhood experiences that are proven to be
13 determinants of physical, social and behavioral health and
14 provide trauma-informed counseling services as necessary to
15 students based upon the screening results.

16 (21) Trauma-informed approaches to education, including:

17 (i) Increasing student and school employee access to
18 quality trauma support services and behavioral health
19 care, including the following:

20 (A) Hiring or contracting with certified
21 guidance counselors, licensed professional
22 counselors, licensed social workers, licensed
23 clinical social workers, school psychologists and
24 other professional health personnel to provide
25 services to students and school employees.

26 (B) Developing collaborative efforts between the
27 school entity and behavioral health professionals to
28 identify students in need of trauma support and to
29 provide prevention, screening, referral and treatment
30 services to students potentially in need of services.

31 (ii) Programs providing:

32 (A) Trauma-informed approaches to education in
33 the curriculum, including training of school
34 employees, school directors and behavioral health
35 professionals to develop safe, stable and nurturing
36 learning environments that prevent and mitigate the
37 effects of trauma.

38 (B) Services for children and their families, as
39 appropriate, who have experienced or are at risk of
40 experiencing trauma, including those who are low-
41 income, homeless, involved in the child welfare
42 system or involved in the juvenile justice system.

43 (22) Programs designed to reduce community violence,
44 including:

45 (i) Increase access to quality trauma-informed
46 support services and behavioral health care by linking
47 the community with local trauma support and behavioral
48 health systems.

49 (ii) Provide health services and intervention
50 strategies by coordinating the services provided by
51 eligible applicants and coordinated care organizations,

1 public health entities, nonprofit youth service providers
2 and community-based organizations.

3 (iii) Provide mentoring and other intervention
4 models to children and their families who have
5 experienced trauma or are at risk of experiencing trauma,
6 including those who are low-income, homeless, in foster
7 care, involved in the criminal justice system,
8 unemployed, experiencing a mental illness or substance
9 abuse disorder or not enrolled in or at risk of dropping
10 out of an educational institution.

11 (iv) Foster and promote communication between the
12 school entity, community and law enforcement.

13 (v) Any other program or model designed to reduce
14 community violence and approved by the committee.

15 (k) Coordination of grant distribution.--The department
16 shall coordinate the distribution of grants under Article XIII-A
17 with the committee to ensure the most effective use of
18 resources.

19 (l) Audits.--The commission may randomly audit grant
20 recipients to ensure the appropriate use of grant funds and
21 compliance with the provisions of subsection (d).

22 Section 1307-B. Risk and Vulnerability Assessment Teams.

23 (a) Establishment.--From existing appropriations, no later
24 than March 31, 2019, the Pennsylvania State Police shall
25 establish three Risk and Vulnerability Assessment Teams to
26 operate within three regions geographically designated by the
27 Pennsylvania State Police in consultation with the committee.
28 Each Risk and Vulnerability Assessment Team shall be comprised
29 of no fewer than three troopers.

30 (b) Training.--The troopers assigned to a Risk and
31 Vulnerability Assessment Team shall at a minimum be trained in
32 the criteria established by the committee under section 1303-B.

33 (c) School safety and security assessments.--

34 (1) Each Risk and Vulnerability Assessment Team shall
35 conduct school safety and security assessments based upon the
36 committee's criteria when school is in session at school
37 entities within the team's region on a systematic basis free
38 of charge.

39 (2) When conducting school safety and security
40 assessments required under section 1305-B, a Risk and
41 Vulnerability Assessment Team shall give priority to school
42 entities based upon the ranking of the school entities'
43 market value/income aid ratio from high to low.

44 (3) School safety and security assessments conducted by
45 Risk and Vulnerability Assessment Team shall be considered to
46 meet the committee's criteria.

47 (d) Reports.--Each Risk and Vulnerability Assessment Team
48 shall annually report to the committee the following:

49 (1) The school entities where the Risk and Vulnerability
50 Assessment Team has conducted a school safety and security
51 assessment.

1 (2) Critical school entity safety and security needs
2 identified through safety and security assessments.

3 Section 1308-B. (Reserved).

4 Section 1309-B. School safety and security coordinator.

5 (a) Appointment.--The chief school administrator of a school
6 entity shall appoint a school administrator as the school safety
7 and security coordinator for the school entity. The appointment
8 shall be made not later than August 31, 2018.

9 (b) General duties.--The school safety and security
10 coordinator shall oversee all school police officers, school
11 resource officers, school security guards and policies and
12 procedures in the school entity and report directly to the chief
13 school administrator. As used in this subsection, the terms
14 "school police officer," "school resource officer" and "school
15 security guard" shall have the meanings given to them in section
16 1301-C.

17 (c) Specific duties.--The school safety and security
18 coordinator shall:

19 (1) Review the school entity's policies and procedures
20 relative to school safety and security and compliance with
21 Federal and State laws regarding school safety and security.

22 (2) Coordinate training and resources for students and
23 school entity staff in matters relating to situational
24 awareness, trauma-informed education awareness, behavioral
25 health awareness, suicide and bullying awareness, substance
26 abuse awareness and emergency procedures and training drills,
27 including fire, natural disaster, active shooter, hostage
28 situation and bomb threat.

29 (3) Coordinate school safety and security assessments as
30 necessary.

31 (4) Serve as the school entity liaison with the
32 committee, the department, law enforcement and other
33 organizations on matters of school safety and security.

34 (5) Make a report no later than June 30, 2019, and each
35 June 30 thereafter, to the school entity's board of directors
36 on the school entity's current safety and security practices
37 that identify strategies to improve school safety and
38 security. The report shall be presented to the school
39 entity's board of directors at an executive session of the
40 school entity's board of directors. The report shall be
41 submitted to the committee and shall not be subject to the
42 act of February 14, 2008 (P.L.6, No.3), known as the Right-
43 to-Know Law.

44 (6) Coordinate a tour of the school entity's buildings
45 and grounds biennially or when a building is first occupied
46 or reconfigured with the law enforcement agencies and first
47 responders that are primarily responsible for protecting and
48 securing the school entity to discuss and coordinate school
49 safety and security matters.

50 Section 1310-B. School safety and security training.

51 School entities shall provide their employees with mandatory

1 training on school safety and security subject to the following:

2 (1) Training shall address the following:

3 (i) Situational awareness.

4 (ii) Trauma-informed education awareness.

5 (iii) Behavioral health awareness.

6 (iv) Suicide and bullying awareness.

7 (v) Substance use awareness.

8 (vi) Emergency training drills, including fire,
9 natural disaster, active shooter, hostage situation and
10 bomb threat.

11 (2) Training may be provided through the Internet or
12 other distance communication systems.

13 (3) Employees shall complete a minimum of three hours of
14 training every five years.

15 (4) Employees required to undergo continuing
16 professional education under section 1205.2 shall receive
17 credit toward their continuing professional education
18 requirements if the training program has been approved by the
19 department in consultation with the committee.

20 ARTICLE XIII-C

21 SCHOOL POLICE OFFICERS AND

22 SCHOOL RESOURCE OFFICERS

23 Section 1301-C. Definitions.

24 The following words and phrases when used in this article
25 shall have the meanings given to them in this section unless the
26 context clearly indicates otherwise:

27 "Department." The Department of Education of the
28 Commonwealth.

29 "School entity." A school district, intermediate unit, area
30 vocational-technical school, charter school or private
31 residential rehabilitative institution.

32 "School police officer." A law officer employed by a school
33 district whose responsibilities, including work hours, are
34 established by the school district.

35 "School resource officer." A law enforcement officer
36 commissioned and employed by a law enforcement agency whose duty
37 station is located in a school entity and whose stationing is
38 established by an agreement between the law enforcement agency
39 and the school entity.

40 "School security guard." An individual employed by a school
41 entity or a third party contractor who is assigned to a school
42 for routine safety and security duties and is not engaged in
43 programs with students at the school.

44 Section 1302-C. School police officers.

45 (a) Application to court.--A school entity or nonpublic
46 school may apply to a judge of the court of common pleas of the
47 county within which the school entity or nonpublic school is
48 situated to appoint a person or persons as the board of
49 directors of the school entity or the administration of the
50 nonpublic school may designate to act as school police officer
51 for the school entity or nonpublic school.

1 (b) Appointment.--

2 (1) The judge, upon the application, may appoint a
3 person or persons, as the judge deems proper, to be the
4 school police officer and shall note the fact of the
5 appointment to be entered upon the records of the court.

6 (2) The judge may, at the request of the school entity
7 or nonpublic school, grant the school police officer the
8 power to arrest as provided in section 1306-C(2), the
9 authority to issue citations for summary offenses or the
10 authority to detain students until the arrival of local law
11 enforcement, or any combination thereof.

12 Section 1303-C. Annual report to department.

13 A school entity or nonpublic school which employs a school
14 police officer shall report annually to the department, Office
15 of Safe Schools, the following information regarding school
16 police officers receiving training as required under 53 Pa.C.S.
17 Ch. 21 Subch. D (relating to municipal police education and
18 training):

19 (1) The identity of the school entity or nonpublic
20 school and the number of school police officers employed by
21 the school entity or nonpublic school.

22 (2) The municipalities comprising the school entity or
23 in which the nonpublic school is located.

24 (3) The date and type of training provided to each
25 school police officer.

26 Section 1304-C. Oath of office.

27 Every school police officer appointed under section 1302-C(b)
28 shall, before entering upon the duties of the office, take and
29 subscribe to the oath required by section 3 of Article VII of
30 the Constitution of Pennsylvania, before a magisterial district
31 judge or prothonotary. The oath shall be filed by the
32 magisterial district judge or prothonotary among his papers, and
33 a note made upon his docket of the fact of the oath having been
34 taken.

35 Section 1305-C. Firearm training.

36 A school police officer who has been granted powers under
37 section 1306-C(2) or (3) or has been authorized to carry a
38 firearm must, before entering upon the duties of the office,
39 successfully complete training as set forth in 53 Pa.C.S. Ch. 21
40 Subch. D (relating to municipal police education and training)
41 or have graduated from the Pennsylvania State Police Academy and
42 have been employed as a State trooper with the Pennsylvania
43 State Police and separated from service in good standing.

44 Section 1306-C. Powers and duties.

45 A school police officer appointed under section 1302-C(b)
46 shall possess and exercise all the following powers and duties:

47 (1) To enforce good order in school buildings, on school
48 buses and on school grounds in the respective school entities
49 or nonpublic schools. For purposes of this paragraph, the
50 term "school bus" shall include a vehicle leased by the
51 school entity or nonpublic school to transport students and a

1 vehicle of mass transit used by students to go to and from
2 school when the school police officer responds to a report of
3 an incident involving a breach of good order or violation of
4 law.

5 (2) If authorized by the court, to exercise the same
6 powers as exercised under authority of law or ordinance by
7 the police of the municipality in which the school property
8 is located.

9 (3) If authorized by the court, to issue summary
10 citations or to detain individuals until local law
11 enforcement is notified.

12 Section 1307-C. Shield or badge required.

13 A school police officer shall, when on duty, wear a metallic
14 shield or badge with the words "School Police," and the name of
15 the school entity or nonpublic school for which appointed. The
16 shield shall always be worn in plain view when on duty except
17 when employed as a detective.

18 Section 1308-C. Compensation.

19 The compensation of a school police officer shall be paid by
20 the school entity or nonpublic school for which the school
21 police officer is appointed, as may be agreed upon between the
22 board of school directors or administration of the nonpublic
23 school and the school police officer.

24 Section 1309-C. Cooperative police service agreements.

25 (a) General rule.--A school entity or nonpublic school and
26 municipality may enter into a cooperative police service
27 agreement under 42 Pa.C.S. § 8953(e) (relating to Statewide
28 municipal police jurisdiction) and 53 Pa.C.S. § 2303 (relating
29 to intergovernmental cooperation authorized) to authorize the
30 exercise of concurrent jurisdiction with local law enforcement
31 within the municipality where the school or school entity or
32 nonpublic school is located or within the municipality in which
33 a school event or activity will take place.

34 (b) Municipalities without municipal police departments.--

35 (1) If a school is located within a municipality where
36 no municipal police department exists, the school entity or
37 nonpublic school may enter into a cooperative police service
38 agreement under 42 Pa.C.S. § 8953(e) and 53 Pa.C.S. § 2303
39 with a municipality providing full-time or part-time police
40 coverage that is located adjacent to the school.

41 (2) At least 30 days prior to executing a cooperative
42 police service agreement under this subsection, the school
43 entity or nonpublic school shall provide written notice of
44 its intent to enter into the agreement to the municipality
45 where the school is located.

46 (3) A copy of the executed agreement shall be provided
47 to the commanding officer of the Pennsylvania State Police
48 installation that provides primary police services to the
49 municipality where the school is located.

50 (4) A cooperative police service agreement entered into
51 under this subsection shall only pertain to actions taken on

1 school property under the agreement and shall not affect the
2 jurisdiction of the Pennsylvania State Police.

3 Section 1310-C. Employee status.

4 When acting within the scope of this article, school police
5 officers shall, at all times, be employees of the school entity
6 or nonpublic school and shall be entitled to all of the rights
7 and benefits accruing from that employment.

8 Section 1311-C. Independent contractors.

9 Notwithstanding section 1310-C, a school entity or nonpublic
10 school may contract with individuals who are retired Federal
11 agents or retired State, municipal or military police officers
12 or sheriffs to provide services under this article. The
13 individuals shall be considered independent contractors of the
14 school entity or nonpublic school and shall be compensated by
15 the school entity or nonpublic school on an hourly basis and
16 receive no other compensation or fringe benefits from the school
17 entity or nonpublic school. The school entity or nonpublic
18 school shall ensure that the independent contractors comply with
19 all of the following:

20 (1) Completed such annual training as is required by the
21 Municipal Police Officers' Education and Training Commission
22 under 53 Pa.C.S. Ch. 21 Subch. D (relating to municipal
23 police education and training).

24 (2) Satisfied the requirements of section 111.

25 (3) In the case of a school entity, indemnified by the
26 school entity under 42 Pa.C.S. § 8548 (relating to
27 indemnity).

28 Section 1312-C. Construction.

29 Nothing in this article shall be construed to preclude a
30 school entity or nonpublic school from employing other security
31 personnel as the school entity or nonpublic school deems
32 necessary.

33 Section 1313-C. School resource officers.

34 (a) Powers and duties.--A school entity may confer the
35 following powers and duties upon school resource officers:

36 (1) To assist in the identification of physical changes
37 in the environment which may reduce crime in or around the
38 school.

39 (2) To assist in developing school policy which
40 addresses crime and to recommend procedural changes.

41 (3) To develop and educate students in crime prevention
42 and safety.

43 (4) To train students in conflict resolution,
44 restorative justice and crime awareness.

45 (5) To address crime and violence issues, gangs and drug
46 activities affecting, or occurring in or around, a school.

47 (6) To develop or expand community justice initiatives
48 for students.

49 (b) Intergovernmental agreements for school security and
50 safety.--The board of school directors of a school district may
51 enter into agreements with other political subdivisions to

1 provide for the safety and security of the school. The board of
2 school directors may use school funds to share costs with
3 municipalities and counties for such expenses as benefits and
4 salaries of school resource officers and probation officers.
5 School resource officers and probation officers are not required
6 to be employees of the school district and may be employees of
7 other political subdivisions.

8 Section 1314-C. School security guards.

9 A school security guard may provide the following services as
10 determined by the school entity:

- 11 (1) School safety support services.
- 12 (2) Enhanced campus supervision.
- 13 (3) Assistance with disruptive students.
- 14 (4) Monitoring visitors on campus.
- 15 (5) Coordination with law enforcement officials,
16 including school police officers and school resource
17 officers.
- 18 (6) Security functions which improve and maintain school
19 safety.

20 Article XIII-D

21 Safe2Say Program

22 Section 1301-D. Intent.

23 The General Assembly finds and declares as follows:

- 24 (1) Over the past several years, school shootings have
25 become more frequent. The recent school shootings have shown
26 the need for robust information sharing and communication
27 between schools and law enforcement. The communication is
28 necessary to prevent school violence.
- 29 (2) It is vital that the Commonwealth take available
30 measures to create safe and welcoming school communities.
31 Providing students, teachers and communities with an
32 anonymous reporting mechanism is a proven important tool in
33 creating safe and welcoming school communities.
- 34 (3) It is the intent of the General Assembly that the
35 Safe2Say Program be a one-stop shop for students, teachers
36 and community members to report behavior perceived to be
37 threatening to an individual or a school entity. Reports made
38 through the anonymous reporting system will be referred to
39 local schools, law enforcement and/or organizations.
- 40 (4) The intent of the General Assembly is for the
41 Safe2Say Program to supplement, not replace, 911 services.
42 The Safe2Say Program is intended to facilitate increased
43 communication between law enforcement, school districts and
44 organizations.
- 45 (5) It is not the intent of the General Assembly that
46 the Safe2Say Program be used as a disciplinary tool for
47 school employees. However, there may be instances where
48 information obtained through the program may be shared with
49 and used by school officials.
- 50 (6) The Safe2Say Program is not meant to be a tool for
51 law enforcement. However, there may be instances where

1 information obtained through the program may be shared with
2 and used by law enforcement.

3 Section 1302-D. Definitions.

4 The following words and phrases when used in this article
5 shall have the meanings given to them in this section unless the
6 context clearly indicates otherwise:

7 "Attorney General." The Attorney General of the
8 Commonwealth.

9 "In camera review." An inspection of materials by the court,
10 in chambers, to determine what materials may be produced or
11 otherwise provided to another party.

12 "Law enforcement agency." A police department of a city,
13 borough, incorporated town or township, the Pennsylvania State
14 Police, district attorneys' offices and the office.

15 "Office." The Office of Attorney General of the
16 Commonwealth.

17 "Program." The Safe2Say Program established under section
18 1303-D(a).

19 "Record of the program." A record created by the office on a
20 tip received from the program.

21 "School entity." A school district, charter school, cyber
22 charter school, private school, nonpublic school, intermediate
23 unit or area vocational-technical school operating within this
24 Commonwealth.

25 Section 1303-D. Safe2Say Program.

26 (a) Establishment.--The Safe2Say Program is established
27 within the office.

28 (b) Administration.--The Attorney General shall:

29 (1) administer the program pursuant to the requirements
30 under subsection (c); and

31 (2) promulgate regulations and adopt all guidelines
32 necessary for the establishment of the program and
33 administration of this article, in consultation with
34 Statewide organizations.

35 (c) Program requirements.--Beginning January 14, 2019, the
36 program shall be responsible for the following:

37 (1) To ensure anonymous reporting concerning unsafe,
38 potentially harmful, dangerous, violent or criminal
39 activities in a school entity or the threat of the activities
40 in a school entity.

41 (2) To establish protocols and procedures to promptly
42 notify the appropriate law enforcement agency via 911 centers
43 and the Pennsylvania State Police when the program receives
44 an anonymous report of violent or criminal activities in a
45 school entity that poses an immediate threat of violence or
46 criminal activity.

47 (3) To ensure that the identity of the individual making
48 a report remains unknown to any person, including law
49 enforcement officers and employees of the office.

50 (4) To ensure that information obtained from an
51 individual making a report who voluntarily discloses his or

1 her identity and verifies that he or she is willing to be
2 identified may be shared with law enforcement officers,
3 employees of the office and school officials.

4 (5) To ensure that if the identity of an individual
5 making a report becomes known through a means other than
6 voluntary disclosure, the identity is not further disclosed.

7 (6) To establish procedures to promptly forward
8 information received by the program to the appropriate law
9 enforcement agency, school official or organization, as
10 determined by the office. The office may not be held liable
11 for investigation of a report made to the program following
12 confirmation of receipt of the report by the appropriate law
13 enforcement agency, school official or organization.

14 (7) To train or provide instruction to individuals,
15 including, but not limited to, emergency dispatch centers and
16 school entities, on appropriate awareness and response to the
17 program.

18 (8) To provide program awareness and education materials
19 to school entities.

20 (9) To, in consultation with the Department of
21 Education, establish guidelines school entities may utilize
22 to respond to a report received from the program.

23 (10) To work with school entities, local law enforcement
24 agencies and organizations to identify each person to whom a
25 report from the program will be sent.

26 (d) School entity.--Each school entity shall develop
27 procedures for assessing and responding to reports received from
28 the program.

29 Section 1304-D. Confidentiality.

30 (a) Disclosure.--A record created or obtained through the
31 implementation or operation of the program shall be
32 confidential. A person may not disclose a record of the program
33 except:

34 (1) To provide notice to the appropriate law enforcement
35 agency, school entity and organization in accordance with the
36 procedures established under section 1303-D.

37 (2) Upon order of the court as provided in section 1306-
38 D.

39 (b) Right-to-Know.--A record of the program:

40 (1) shall not be subject to the act of February 14, 2008
41 (P.L.6, No.3), known as the Right-to-Know Law; and

42 (2) does not create a record under 18 Pa.C.S. Ch. 91
43 (relating to criminal history record information).

44 (c) Penalty.--An individual who discloses a record in
45 violation of this section commits a misdemeanor of the third
46 degree.

47 Section 1305-D. False reports.

48 (a) Penalty.--A person commits a misdemeanor of the third
49 degree if the person knowingly or intentionally makes a false
50 report to the program.

51 (b) Student records.--If a report filed with the program is

1 determined to be a false report, information about the subject
2 of the false report shall not be made part of the subject
3 student's record.

4 Section 1306-D. Judicial proceeding.

5 (a) General rule.--A person implementing, operating or
6 working for the program may not be compelled to produce a record
7 except pursuant to a court order. The Commonwealth or a criminal
8 defendant may file a motion with the court for release of the
9 record. The motion shall be accompanied by an affidavit
10 establishing why the record should be produced.

11 (b) In camera review.--Upon the Commonwealth's or criminal
12 defendant's motion under subsection (a), the court shall conduct
13 an in camera review of the record requested to be produced under
14 the motion of the Commonwealth or a criminal defendant.

15 (c) Decision by court.--After a review of the record under
16 subsection (b), if the court determines that the record should
17 be released, the court may order the record to be produced to
18 the Commonwealth and criminal defendant pursuant to a protective
19 order that includes:

20 (1) the redaction of the identity of the individual who
21 made the report; and

22 (2) limitations, if any, on the use of the materials.

23 (d) Sealed record.--After a decision by the court under
24 subsection (c), a record not produced to the Commonwealth or a
25 criminal defendant shall be sealed and preserved in the judicial
26 record of the court and may be made available on appeal.

27 (e) Return of record.--After the expiration of any appeal
28 period, the court shall return each record to the program.

29 (f) Standing.--The Attorney General shall have standing in
30 any action to support or oppose the disclosure of a record in
31 the custody of the program.

32 Section 1307-D. Annual report.

33 (a) General rule.--No later than August 1 of each year, the
34 office shall prepare and submit a report to the chairperson and
35 minority chairperson of the Appropriations Committee of the
36 Senate, the chairperson and minority chairperson of the
37 Appropriations Committee of the House of Representatives, the
38 chairperson and minority chairperson of the Education Committee
39 of the Senate and the chairperson and minority chairperson of
40 the Education Committee of the House of Representatives.

41 (b) Contents of report.--The report shall, at a minimum,
42 include:

43 (1) The number of reports received for the previous
44 school year.

45 (2) The total number of reports received since the
46 program began.

47 (3) A breakdown of the reports by type.

48 (4) A breakdown of the method by which the report was
49 received.

50 (5) A breakdown of the report by school entity.

51 (6) The total cost to operate the program, including

1 staffing costs, administrative costs and support costs.

2 (7) The total number of false reports received.

3 (8) Any other information the Attorney General deems
4 appropriate.

5 Section 4. This act shall take effect immediately.