

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 769 Session of  
2007

INTRODUCED BY GRUCELA, DERMODY, BELFANTI, DALEY, GEORGE,  
FABRIZIO, FREEMAN, JAMES, KORTZ, MANN, PALLONE, ROEBUCK,  
SIPTROTH, SOLOBAY, SONNEY, STERN, YUDICHAK, YOUNGBLOOD,  
CALTAGIRONE AND LONGIETTI, MARCH 19, 2007

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF  
REPRESENTATIVES, AS AMENDED, APRIL 24, 2007

## 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," further providing for school police  
6 officers; and providing for school resource officers ~~and~~, for <—  
7 school security officers AND FOR TRAINING. <—

8 The General Assembly of the Commonwealth of Pennsylvania  
9 hereby enacts as follows:

10 Section 1. Section 778 of the act of March 10, 1949 (P.L.30,  
11 No.14), known as the Public School Code of 1949, amended June  
12 25, 1997 (P.L.297, No.30) and July 4, 2004 (P.L.536, No.70), is  
13 amended to read:

14 Section 778. School Police Officers.--(a) Any school  
15 district may apply to any judge of the court of common pleas of  
16 the county within which the school district is situated to  
17 appoint such person or persons as the board of directors of the  
18 school district may designate to act as school police officer  
19 for said school district. The judge, upon such application, may

1 appoint such person, or so many of them as he may deem proper,  
2 to be such school police officer and shall note the fact of such  
3 appointment to be entered upon the records of the court. The  
4 judge may, at the request of the school district, grant the  
5 school police officer the power to arrest as provided in  
6 subsection (c)(2), the authority to issue citations for summary  
7 offenses [or], the authority to detain students until the <—  
8 arrival of local law enforcement, THE AUTHORITY TO CARRY A <—  
9 FIREARM, or any combination thereof.

10 (a.1) Any school district which employs a school police  
11 officer under this section shall report annually to the  
12 Department of Education, Office [of] for Safe Schools, the  
13 following information regarding school police officers receiving  
14 training as required under 53 Pa.C.S. Ch. 21 Subch. D (relating  
15 to municipal police education and training):

16 (1) The identity of the school district and the number of  
17 school police officers it employs.

18 (2) The municipalities comprising the school district.

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

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

28 (b.1) Every school police officer who has been granted  
29 powers under subsection (c)(2) [or], (3) or [has been authorized  
30 to carry a firearm] (4) must, before entering upon the duties of

1 his office, successfully complete training as set forth in 53  
2 Pa.C.S. Ch. 21 Subch. D.

3 (b.2) Every school police officer must complete EIGHT HOURS <—  
4 OF training as set forth by the Department of Education. IN <—  
5 SECTION 778.3(A) WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS  
6 SUBSECTION OR WITHIN ONE YEAR OF THE SCHOOL POLICE OFFICER'S  
7 INITIAL HIRING DATE BY THE SCHOOL DISTRICT.

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

10 (1) To enforce good order in school buildings, on school  
11 buses and on school grounds in their respective school  
12 districts. For purposes of this clause, the term "school bus"  
13 shall include vehicles leased by the school district to  
14 transport students and vehicles of mass transit used by students  
15 to go to and from school when the school police officer is  
16 responding to a report of an incident involving a breach of good  
17 order or violation of law.

18 (2) If authorized by the court, to exercise the same powers  
19 as are now or may hereafter be exercised under authority of law  
20 or ordinance by the police of the municipality wherein the  
21 school property is located.

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

25 (4) If authorized by the court, to carry a firearm.

26 (d) Such school police officer shall, when on duty,  
27 severally wear a metallic shield or badge with the words "School  
28 Police," and the name of the district for which appointed. Such  
29 shield shall always be worn in plain view when on duty except  
30 when employed as detective.

1 (e) The compensation of such school police officers shall be  
2 paid by the school district for which the school police officers  
3 are respectively appointed, as may be agreed upon between the  
4 board of school directors and the school police officer.

5 (f) School districts and municipalities may enter into  
6 cooperative police service agreements pursuant to 42 Pa.C.S. §  
7 8953(e) (relating to Statewide municipal police jurisdiction) to  
8 authorize the exercise of concurrent jurisdiction with local law  
9 enforcement within the municipality where the school or school  
10 district is located or within the municipality in which a school  
11 event or activity will take place.

12 (g) When acting within the scope of this section, school  
13 police officers shall, at all times, be employees of the school  
14 district and shall be entitled to all of the rights and benefits  
15 accruing therefrom.

16 (h) Nothing in this section shall be construed to preclude a  
17 school district from employing other security personnel as the  
18 school district deems necessary.

19 (i) As used in this section:

20 "School police officer" means an officer employed by a school  
21 district who has been granted powers under subsection (c)(2),  
22 (3) or (4), or any combination thereof. The term does not  
23 include a school resource officer under section 778.1 or a  
24 school security officer under section 778.2.

25 Section 2. The act is amended by adding sections to read:

26 Section 778.1. School Resource Officer.--(a) A school  
27 resource officer has the duty to enforce good order in school  
28 buildings, on school buses and on school grounds in the school  
29 district. A school resource officer may exercise all the powers  
30 and duties granted to that officer as a commissioned law

1 enforcement officer.

2 (b) A school resource officer must maintain training as  
3 required in 53 Pa.C.S. Ch. 21 Subch. D (relating to municipal  
4 police education and training) and ~~as required by the Department~~ <—  
5 ~~of Education.~~ COMPLETE EIGHT HOURS OF TRAINING AS REQUIRED IN <—  
6 SECTION 778.3(A) WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS  
7 SECTION OR WITHIN ONE YEAR OF THE SCHOOL RESOURCE OFFICER'S  
8 INITIAL HIRING DATE BY THE SCHOOL DISTRICT.

9 (c) A school district which employs a school resource  
10 officer shall report annually to the Office for Safe Schools the  
11 following information regarding school resource officers  
12 receiving training as required in this section:

13 (1) The name of the school district and the number of school  
14 resource officers it employs.

15 (2) The municipalities comprising the school district.

16 (3) The date and type of training provided to each school  
17 resource officer.

18 (4) The law enforcement agencies that commission officers  
19 within that school district and the name of the commanding  
20 officer of each agency.

21 (d) As used in this section:

22 "School bus" shall include vehicles leased by the school  
23 district to transport students and vehicles of mass transit used  
24 by students to go to and from school when the school police  
25 officer is responding to a report of an incident involving a  
26 breach of good order or violation of law.

27 "School resource officer" means a law enforcement officer  
28 commissioned by a law enforcement agency whose duty station is  
29 in a school.

30 Section 778.2. School Security Officer.--(a) A school

1 security officer has the duty to enforce good order in school  
2 buildings, on school buses and on school grounds in the school  
3 district.

4 (b) A school security officer must ~~maintain training as~~ <—  
5 ~~required by the Department of Education.~~ COMPLETE EIGHT HOURS OF <—  
6 TRAINING AS REQUIRED IN SECTION 778.3(A) AND EIGHT HOURS OF  
7 TRAINING AS REQUIRED IN SECTION 778.3(B) WITHIN ONE YEAR OF THE  
8 EFFECTIVE DATE OF THIS SECTION OR WITHIN ONE YEAR OF THE SCHOOL  
9 SECURITY OFFICER'S INITIAL HIRING DATE BY THE SCHOOL DISTRICT.

10 (c) A school district which employs a school security  
11 officer shall report annually to the Office for Safe Schools the  
12 following information regarding school security officers  
13 receiving training as required in this section:

14 (1) The name of the school district and the number of school  
15 security officers it employs.

16 (2) The municipalities comprising the school district.

17 (3) The date and type of training provided to each school  
18 security officer.

19 (d) As used in this section:

20 "School bus" shall include vehicles leased by the school  
21 district to transport students and vehicles of mass transit used  
22 by students to go to and from school when the school police  
23 officer is responding to a report of an incident involving a  
24 breach of good order or violation of law.

25 "School security officer" means a noncommissioned officer  
26 employed by a school district or a vendor who is assigned to a  
27 school for routine safety and security duties and who has not  
28 been granted powers under section 778 (c)(2), (3) or (4).

29 SECTION 778.3. TRAINING.--(A) THE DEPARTMENT OF EDUCATION <—  
30 SHALL PROVIDE AND FUND TRAINING FOR SCHOOL POLICE OFFICERS,

1 SCHOOL RESOURCE OFFICERS AND SCHOOL SECURITY OFFICERS FOCUSING  
2 ON TOPICS SPECIFIC TO THE SCHOOL SETTING. THE DEPARTMENT SHALL  
3 ESTABLISH THE TRAINING PROGRAM WITHIN SIX MONTHS OF THE  
4 EFFECTIVE DATE OF THIS SECTION. THE TRAINING SHALL BE OFFERED AT  
5 REGIONAL LOCATIONS AT LEAST TWICE ANNUALLY. THE DEPARTMENT SHALL  
6 AWARD A CERTIFICATE OF COMPLETION UPON SUCCESSFUL COMPLETION OF  
7 THE TRAINING PROGRAM.

8 (B) THE DEPARTMENT OF EDUCATION SHALL PROVIDE AND FUND  
9 TRAINING FOR SCHOOL SECURITY OFFICERS FOCUSING ON SAFETY  
10 PROCEDURES. THE DEPARTMENT SHALL ESTABLISH THE TRAINING PROGRAM  
11 WITHIN SIX MONTHS OF THE EFFECTIVE DATE OF THIS SECTION. THE  
12 TRAINING SHALL BE OFFERED AT REGIONAL LOCATIONS AT LEAST TWICE  
13 ANNUALLY. THE DEPARTMENT SHALL AWARD A CERTIFICATE OF COMPLETION  
14 UPON SUCCESSFUL COMPLETION OF THE TRAINING PROGRAM.

15 Section 3. This act shall take effect in 60 days.