



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

SENATE BILL NO. 1142

PRINTERS NO. 1911

PRIME SPONSOR: Browne

COST / (SAVINGS)

FUND	FY 2017/18	FY 2018/19
General Fund	See Fiscal Impact	

SUMMARY:

Senate Bill 1142 amends the Public School Code concerning various topics related to school safety and security. It would take effect immediately.

ANALYSIS:

Senate Bill 1142 amends the Public School Code concerning the Office for Safe Schools, by adding a new article on school safety and security, by adding a new article concerning school police officers and school resource officers, and by adding a new article for the "Safe2Say" program.

Section 1302-A. Office for Safe Schools

Under current law, the Office for Safe Schools is authorized to make grants in two categories. Forty percent of funds appropriated annually for these grants are to fund programs which address school violence. The other 60% funds grants to school entities, municipalities, local law enforcement agencies and approved vendors for programs which address school violence by establishing or enhancing school security, including costs associated with the training and compensation of school resource officers and school police officers. Senate Bill 1142 would change that percentage split to 25% and 75%, respectively. In addition, any grant funding for the 75% category above the amount in 2017-18 may be prioritized for nonpublic schools.

Article XIII-B School Safety and Security

The new article on school safety and security establishes the School Safety and Security Committee within the Pennsylvania Commission on Crime and Delinquency (PCCD). This 17 member committee consists of the Attorney General, members from the executive branch, appointees from the leadership of the General Assembly, and members appointed for their expertise in various areas of school safety, security, and child behavior. The chair of the Committee is selected by the Governor from among the members of the Committee. PCCD must cooperate with the Committee to select staff to be employed by PCCD and assigned to assist the Committee in carrying out its duties.

No later than September 30, 2018, the Committee must establish best practices criteria to be used when conducting school safety and security assessments. These must include criteria for a

physical assessment, a policy and training assessment, and a student assistance and behavioral health support assessment. In addition, the Committee must review these criteria at least every three years and make revisions as needed.

No later than October 31, 2018, the Committee must establish criteria for certification and provide for the certification of individuals to conduct school safety and security assessments based upon the best practices criteria established by the committee.

No later than October 31, 2018, the Committee must develop a survey to distribute to school entities to measure school safety and security preparedness. School entities must complete this survey and return it to the Committee by November 30, 2018. Then, by January 31, 2019 the Committee must review these surveys and provide feedback to each school entity concerning whether or not the entity is meeting the Committee's best practices criteria. The Committee may engage individuals who are certified to conduct school safety and security assessments to complete this review.

This article establishes the School Safety and Security Grant Program using money from the School Safety and Security Fund. This Program will be administered by the Committee. The Committee must ensure that grant funding is geographically dispersed throughout the Commonwealth, and is used by school entities to supplement, not supplant, existing school spending on safety and security. No school entity may receive more than 10% of the funds available for the Program, and each school district that submits a meritorious application as prescribed by the Committee shall receive a minimum grant allocation of \$25,000 annually. Money from the Fund must be allocated for grants no later than October 31, 2019, and each October 31 thereafter.

The grants may be used by school entities to address school safety and security concerns for the following specific purposes:

1. Safety and security assessments that meet the Committee's best practices criteria.
2. Conflict resolution or dispute management.
3. School-wide positive behavior support.
4. School-based diversion programs.
5. Peer helper programs.
6. Risk assessment, safety-related, violence prevention curricula.
7. Classroom management.
8. Student codes of conduct.
9. Training to undertake a districtwide assessment of risk factors.
10. Development and implementation of research-based violence prevention programs.
11. Districtwide school safety, emergency preparedness and all-hazards plans.
12. Security planning and purchase of security-related technology.
13. Institution of student, staff and visitor identification systems.
14. Provision of specialized staff and student training programs.
15. Counseling services for students.
16. A system for the management of student discipline.

17. Staff training programs in the use of positive behavior supports, de-escalation techniques and appropriate responses to student behavior that may require immediate intervention.
18. Costs associated with the training and compensation of school resource officers and school police officers.
19. Costs associated with the training and compensation of certified counselors, social workers, and school psychologists.
20. Administration of evidence-based screenings for adverse childhood experiences.
21. Trauma-informed approaches to education.
22. Programs designed to reduce community violence (not more than 12.5% of the fund may be allocated for these grants annually).

This article also requires that, from existing appropriations, no later than March 31, 2019, the Pennsylvania State Police (PSP) will establish three Risk and Vulnerability Assessment Teams to operate within three regions geographically designated by the PSP in consultation with the Committee, each Team comprised of no fewer than three troopers. The Teams will conduct school safety and security assessments based upon the Committee's criteria when school is in session at school entities within the team's region on a systematic basis free of charge. When conducting school safety and security assessments, the Teams shall give priority to school entities based upon the ranking of their market value/income aid ratios from high to low. The Teams must annually report to the Committee on which school entities have been assessed and what the critical security and safety needs are.

The chief school administrators of school entities are required to appoint a school administrator as the school safety and security coordinator for the school entity by August 31, 2018. The school safety and security coordinator shall oversee all school police officers, school resource officers, school security guards and policies and procedures in the school entity and report directly to the chief school administrator. More specific duties are provided for in the legislation, including annual reporting requirements and the duty to regularly coordinate tours of the school entity's buildings for local law enforcement and emergency responders.

School entities must provide their employees with mandatory training on school safety and security. This training may be provided through the Internet or other distance communication systems, and must be a minimum of three hours every five years. Training that has been approved by the Department of Education in consultation with the Committee will count towards continuing professional education requirements.

Article XIII-C School Police Officers and School Resource Officers

Senate Bill 1142 eliminates two sections of the current School Code, Section 617 concerning intergovernmental agreements for school security and safety, and Section 778 concerning school police officers. It then includes substantially similar provisions within this new article XIII-C on school police officers and school resource officers.

Among the new provisions added are definitions for various school security personnel. A school police officer is a law officer employed by a school district whose responsibilities, including work hours, are established by the school district. A school resource officer is a law enforcement officer

commissioned and employed by a law enforcement agency whose duty station is located in a school entity and whose stationing is established by an agreement between the law enforcement agency and the school entity. A school security guard is an individual employed by a school entity or a third party contractor who is assigned to a school for routine safety and security duties and is not engaged in programs with students at the school.

School entities and nonpublic schools are permitted to contract with individuals who are retired Federal agents or retired State, municipal or military police officers or sheriffs to provide school police and security services under this new article. The individuals must be considered independent contractors of the school entity or nonpublic school and must be compensated by the school entity or nonpublic school on an hourly basis and receive no other compensation or fringe benefits. The school entity or nonpublic school must ensure that the independent contractors comply with all training and criminal background check requirements, and that they are indemnified by the school.

This article also further enumerates the powers and duties of school resource officers and the services a school security guard may provide.

Article XIII-D Safe2Say Program

This article establishes the Safe2Say Program, to be administered by the Office of the Attorney General. Beginning on January 14, 2019 the Safe2Say Program must ensure anonymous reporting concerning unsafe, potentially harmful, dangerous, violent or criminal activities in a school entity or the threat of such activities at a school entity. The identity of someone making a report must remain unknown to any person, including law enforcement officers and employees of the office, unless the individual voluntarily discloses the information. Records from the program may also be disclosed pursuant to judicial procedures established in the article.

Procedures must be established to promptly forward information received by the program to the appropriate law enforcement agency, school official or organization, as determined by the office.

No later than August 1 of each year, the Attorney General must submit a report to the General Assembly on the Safe2Say program, the minimum contents of which are outlined in the legislation.

FISCAL IMPACT:

Funding for grants under the Office for Safe Schools is provided at the discretion of the Governor and General Assembly through the Safe Schools Initiative appropriation in the General Fund budget. This appropriation was funded at \$8,527,000 in 2017-18 and is included at \$10 million in House Bill 2121 for 2018-19.

The School Safety and Security Fund established in Article XIII-B, School Safety and Security, will provide funding for the School Safety and Security Grant Program. The amount currently projected to be available in this Fund for the distribution of grants no later than October 31, 2019, is \$60 million.

The addition of Article XIII-C concerning School Police Officers and School Resource Officers will have no adverse impact on Commonwealth funds.

The establishment of the Safe2Say Program under Article XIII-D will cost approximately \$1,160,000 annually once fully implemented. The Office of Attorney General estimates that the software needed to receive reports will cost \$105,500. The office also anticipates that staffing to provide availability to the hotline 24 hours a day, 7 days a week, will require 13 staff at a cost of \$1,050,000 for salaries, benefits, and operating costs. House Bill 2121 includes \$600,000 in the Attorney General's budget to support the operation of this new program beginning January 14, 2019.

PREPARED BY: Jeff Miller
House Appropriations Committee (R)

DATE: June 21, 2018

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.