

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 770 Session of
1999

INTRODUCED BY SANTONI, CALTAGIRONE, THOMAS, STURLA, MARSICO,
PESCI, HARHAI, PRESTON, TRELLO, YOUNGBLOOD, McCALL, ROBINSON,
STABACK, RAMOS, SEMMEL, M. COHEN, WILLIAMS, STETLER AND
WASHINGTON, MARCH 9, 1999

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, MARCH 9, 1999

AN ACT

1 Amending the act of February 1, 1966 (1965 P.L.1656, No.581),
2 entitled "An act concerning boroughs, and revising, amending
3 and consolidating the law relating to boroughs," renaming
4 special school police as school crossing guards; and
5 providing for their powers and duties.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Section 1127 of the act of February 1, 1966 (1965
9 P.L.1656, No.581), known as The Borough Code, is amended to
10 read:

11 Section 1127. [~~Special School Police.--~~] School Crossing
12 Guards.--(a) Upon request of the board of school directors of
13 the school district in which a borough is located, the borough
14 council may appoint [~~special school police~~] school crossing
15 guards who shall have the duty of controlling and directing
16 traffic at or near schools and who shall be in suitable and
17 distinctive uniform. [~~and shall display a badge or other sign of~~
18 authority. Such police shall be vested with all the power of

1 local police officers and while] While on duty, these crossing
2 guards shall be under and subject to the direction of the mayor.
3 They shall serve at the pleasure of the borough council, except
4 as noted in subsection (b), and shall not come within the civil
5 service provisions of this act and shall not be entitled to
6 participate in any police pension plan or plans now in effect or
7 hereafter effective. The compensation of the school [police]
8 crossing guards, if any, shall be fixed by the borough council
9 and shall be jointly paid by the borough council and the board
10 of school directors, in a ratio to be determined by the borough
11 council and board of school directors. If the borough council
12 and board of school directors are unable to determine the ratio
13 of compensation of the [police] crossing guards to be paid by
14 the council and the board, each shall pay one-half of the
15 compensation of such [police] crossing guards. Auxiliary
16 policemen, appointed as prescribed by general law, may be
17 designated to serve as [special school police.] crossing guards.

18 (b) The borough council may approve an ordinance allowing a
19 board of school directors to assume hiring and oversight of
20 school crossing guards. Before the borough council may approve
21 such an ordinance, the board of directors of the school district
22 shall approve a resolution requesting the authority to assume
23 the hiring and oversight of school crossing guards. The
24 ordinance shall outline how the police department will provide
25 any necessary training and assistance of the school crossing
26 guards while on duty. Such school crossing guards shall be
27 authorized only in the management of traffic and pedestrians in
28 and around areas identified by the police department and the
29 school district superintendent or his or her designees. The
30 school crossing guards shall not come within the civil service

1 provision of this act, nor shall they fall under the bargaining
2 unit of the school district nor as an employe as defined under
3 section 1101-A of the act of March 10, 1949 (P.L.30, No.14),
4 known as the "Public School Code of 1949," or under any plans
5 hereafter effective. Once the ordinance receives approval by the
6 borough council, the school district shall assume the cost of
7 compensation, including fixing such compensation, if any, of the
8 school crossing guards. Auxiliary policemen, appointed as
9 prescribed by general law, may be hired by the school district
10 to serve as school crossing guards. The board of school
11 directors shall notify the borough council of those hired to
12 serve as school crossing guards and request the necessary
13 training or assistance be provided as outlined by the ordinance.

14 Section 2. This act shall take effect in 60 days.