

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1529 Session of
2002

INTRODUCED BY KUKOVICH, SEPTEMBER 27, 2002

REFERRED TO LOCAL GOVERNMENT, SEPTEMBER 27, 2002

AN ACT

1 Amending the act of June 24, 1931 (P.L.1206, No.331), entitled
2 "An act concerning townships of the first class; amending,
3 revising, consolidating, and changing the law relating
4 thereto," providing for special police.

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

7 Section 1. Section 1416 of the act of June 24, 1931
8 (P.L.1206, No.331), known as The First Class Township Code,
9 reenacted and amended May 27, 1949 (P.L.1955, No.569), amended
10 June 22, 2000 (P.L.335, No.38), is amended to read:

11 Section 1416. School Crossing Guards and Special Police.--

12 (a) The board of township commissioners, by resolution, may
13 appoint school crossing guards who shall be in uniform and be
14 authorized only in the management of traffic and pedestrians.
15 Such school crossing guards shall serve at the pleasure of the
16 board of township commissioners, except as provided in
17 subsection (b), and shall not come within the civil service
18 provisions of this act, nor shall they be eligible to join any

1 township pension fund. Their compensation shall be fixed by the
2 board of township commissioners and they shall be paid by the
3 board of township commissioners, or jointly by the board of
4 township commissioners and the board of school directors in a
5 ratio to be determined by the two boards. If the board of
6 township commissioners and board of school directors are unable
7 to determine the ratio of compensation of the school crossing
8 guards to be paid by each board, each such board shall pay one-
9 half of the compensation of such school crossing guards who
10 shall have the duty of controlling and directing traffic at or
11 near schools.

12 (b) The board of township commissioners may approve an
13 ordinance allowing a board of school directors to assume hiring
14 and oversight of school crossing guards. Before the board of
15 township commissioners may approve such an ordinance, the board
16 of directors of the school district shall approve a resolution
17 requesting the authority to assume the hiring and oversight of
18 school crossing guards. The ordinance shall outline how the
19 police department will provide any necessary training and
20 assistance of the school crossing guards while on duty. Such
21 school crossing guards will be authorized only in the management
22 of traffic and pedestrians in and around areas identified by the
23 police department and the school district superintendent or his
24 or her designees. The school crossing guards shall not come
25 within the civil service provision of this act, nor shall they
26 fall under the bargaining unit of the school district nor be
27 considered an employe as defined under section 1101-A of the act
28 of March 10, 1949 (P.L.30, No.14), known as the "Public School
29 Code of 1949," or a school employe as defined under 24 Pa.C.S. §
30 8102 (relating to definitions) or under any plans hereafter

1 effective. Once the ordinance receives approval by the board of
2 township commissioners, the school district shall assume the
3 cost of compensation, including fixing such compensation, if
4 any, of the school crossing guards. Auxiliary policemen,
5 appointed as prescribed by general law, may be hired by the
6 school district to serve as school crossing guards. The board of
7 school directors shall notify the board of township
8 commissioners of those hired to serve as school crossing guards
9 and request that the necessary training or assistance be
10 provided as outlined by the ordinance.

11 (c) The board of township commissioners, by resolution, may
12 appoint special police who shall have the duty of controlling
13 and directing traffic at or near schools and churches, providing
14 crowd control at school sports events, band festivals and other
15 school and religious social functions and foot patrol security
16 at parks and playgrounds in the township, and directing traffic
17 and providing security for community events as requested.

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