
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 896 Session of
2013

INTRODUCED BY REGAN, BLOOM, HEFFLEY, EVANKOVICH, CONKLIN,
V. BROWN, D. COSTA, MOUL, GABLER AND DENLINGER,
MARCH 11, 2013

REFERRED TO COMMITTEE ON EDUCATION, MARCH 11, 2013

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," providing for school security.

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

8 Section 1. The act of March 10, 1949 (P.L.30, No.14), known
9 as the Public School Code of 1949, is amended by adding a
10 section to read:

11 Section 1309.1-A. School Security Officers.--(a) The
12 following shall apply to all school entities:

13 (1) (i) Notwithstanding any other provision of state law,
14 and subject to subsection (b), each school entity shall,
15 beginning in the 2013-2014 school year, have one armed school
16 security officer on duty on each school campus of the school
17 entity at all times during the school day.

18 (ii) The governing body of a school entity may determine to
19 have an armed school security officer on duty at any school

1 campus during extracurricular activities that occur outside the
2 school day.

3 (2) A school entity may comply with subparagraph (1)(i) by
4 certifying to the Pennsylvania Commission on Crime and
5 Delinquency that school police officers appointed pursuant to
6 section 778 or school resource officers appointed pursuant to
7 section 617 or 1302-A satisfy the requirements of this section.

8 (b) A school entity shall be excused from compliance with
9 subsection (a) with respect to any or all of the school campuses
10 of the school entity if the governing body, by majority vote at
11 a public meeting of the governing body, adopts a resolution
12 setting forth the following:

13 (1) A statement that the governing body finds that
14 compliance with subsection (a) is not necessary to secure any or
15 all school campuses of the school entity.

16 (2) A list of the school campuses of the school entity for
17 which the governing body finds that compliance with subsection
18 (a) is not necessary.

19 (3) An explanation of why the governing body finds the
20 school campuses of the school entity to be secure without
21 compliance with subsection (a).

22 (c) A school security officer shall have the following
23 powers and duties:

24 (1) Screen all visitors to the school building on the school
25 campus during the school day. During the school day, except in
26 the event of a fire drill or school security drill, all
27 students, employes and visitors shall enter and exit the school
28 building through a single access area.

29 (2) Engage in direct radio contact with the local police
30 department serving the municipality in which the school campus

1 is located, including providing immediate information to the
2 local police department in the event of an emergency on the
3 school campus.

4 (3) Take actions to protect school students, employes and
5 visitors in the event of a threat to the school campus, as
6 determined by the school entity and the local police department
7 serving the municipality in which the school campus is located
8 and as set forth in the memorandum of understanding between the
9 school entity and the local police department required pursuant
10 to section 1302.1-A and 22 Pa. Code section 10.11 (relating to
11 memorandum of understanding).

12 (4) Coordinate monthly school security drills with the local
13 police department.

14 (5) Coordinate with school entity officials an annual safety
15 review of school building entrances and exits, including the
16 security of mobile classrooms in use on the school campus. All
17 mobile classrooms shall be equipped with a door that locks from
18 the inside, a door viewer and a duress alarm.

19 (6) Annually review and suggest recommendations regarding
20 the school entity's comprehensive disaster response and
21 emergency management plan required pursuant to 35 Pa.C.S. §
22 7701(g) (relating to duties concerning disaster prevention).

23 (7) Detain individuals on the school campus until arrival of
24 the local police department.

25 (8) Other duties as agreed upon by the school entity and the
26 local police department in the memorandum of understanding
27 between the school entity and the local police department
28 required pursuant to section 1302.1-A and 22 Pa. Code section
29 10.11.

30 (d) The following shall apply to school security officers:

1 (1) A school security officer shall be a retired Federal
2 agent or a retired State, municipal or military police
3 officer. An individual seeking employment as a school security
4 officer shall certify and provide documentation to the school
5 entity demonstrating that the individual is a retired Federal
6 agent or a retired State, municipal or military police officer.

7 (2) (i) Subject to subparagraph (ii), school security
8 officers shall be independent contractors of the school entity,
9 shall be compensated on an hourly basis and shall receive no
10 other compensation or fringe benefits from the school entity or
11 the Commonwealth.

12 (ii) Notwithstanding subparagraph (i), a governing body may
13 by majority vote determine that school security officers
14 appointed pursuant to this section shall be employes of the
15 school entity.

16 (3) School security officers shall complete such annual
17 training as may be required by the Municipal Police Officers'
18 Education and Training Commission pursuant to 53 Pa.C.S. Ch. 21,
19 Subch. D (relating to municipal police education and training).
20 An individual seeking initial or continued employment as a
21 school security officer shall certify and provide documentation
22 to the school entity demonstrating that the individual has
23 completed this training.

24 (4) School security officers shall be subject to the
25 requirements of section 111.

26 (5) The school entity shall determine the uniform to be worn
27 by school security officers.

28 (6) (i) Subject to subparagraphs (ii) and (iii), to the
29 extent funds are appropriated by the General Assembly for this
30 purpose, costs related to school security officers who are

1 independent contractors of the school entity, including hourly
2 wages, training, uniforms and equipment, shall be paid equally
3 by the school entity and the Commonwealth, upon the Department
4 of Education's receipt of documentation of such costs from the
5 school entity.

6 (ii) To the extent that funds appropriated by the General
7 Assembly are insufficient to pay the costs set forth in
8 subparagraph (i), any funds that have been appropriated by the
9 General Assembly for this purpose shall be distributed to school
10 entities on a pro rata basis, based upon the number of school
11 buildings in each school entity in which the school entity has
12 placed a school security officer who is an independent
13 contractor of the school entity.

14 (iii) Notwithstanding subparagraphs (i) and (ii), a school
15 district of the first class shall receive no more than twelve
16 per centum (12%) of the funds appropriated by the General
17 Assembly for this purpose.

18 (7) School security officers, whether independent
19 contractors or employes of the school entity, shall be
20 indemnified by the school entity pursuant to 42 Pa.C.S. § 8548
21 (relating to indemnity).

22 (e) The commission shall have the following powers and
23 duties with respect to the implementation of this section:

24 (1) Maintain a database of retired Federal agents and
25 retired State, municipal and military police officers who are
26 available for work as school security officers and make the
27 database available to school entities.

28 (2) Consult with the State Board in the development of the
29 regulations required pursuant to subsection (f).

30 (3) Consult with the Department of Education in the

1 development of the temporary guidelines required pursuant to
2 subsection (g).

3 (4) Seek Federal and private grant sources to implement this
4 section.

5 (f) Within eighteen (18) months of the effective date of
6 this section, the State Board, in consultation with the
7 commission, shall promulgate regulations pursuant to the act of
8 June 25, 1982 (P.L. 633, No.181), known as the Regulatory Review
9 Act, necessary to implement this section.

10 (g) Within ninety (90) days of the effective date of this
11 section, the Department of Education, in consultation with the
12 commission, shall adopt temporary guidelines necessary to
13 implement this section. Upon the promulgation of regulations
14 required pursuant to subsection (f), the temporary guidelines
15 shall no longer be in effect.

16 (h) For purposes of this section:

17 "Commission" shall mean the Pennsylvania Commission on Crime
18 and Delinquency.

19 "School campus" shall mean the grounds and buildings of a
20 school that is, or is a part of, a school entity.

21 "School day" shall mean the hours between the morning opening
22 of a school building and the afternoon dismissal of students on
23 any day on which classes are in session on the school campus.

24 "School entity" shall mean any public school district,
25 charter school, cyber charter school, intermediate unit or area
26 vocational-technical school.

27 "State Board" shall mean the State Board of Education.

28 "Visitor" shall mean any individual who is not a student or
29 employe of the school entity.

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