

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

**SENATE BILL****No. 10** Session of  
2013

INTRODUCED BY SCARNATI, SOLOBAY, COSTA, GREENLEAF, ERICKSON,  
RAFFERTY, TOMLINSON, McILHINNEY, MENSCH, BROWNE, CORMAN,  
BAKER, YAW, ROBBINS, VOGEL, VULAKOVICH, WAUGH, WHITE,  
GORDNER, KASUNIC, YUDICHAK AND BOSCOLA, FEBRUARY 11, 2013

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF  
REPRESENTATIVES, AS AMENDED, JUNE 30, 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," in safe schools, further providing  
6 for Office for Safe Schools and providing for allocation of  
7 certain appropriated funds.

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

10 Section 1. Section 1302-A(c) (8) and (11) and (d) of the act  
11 of March 10, 1949 (P.L.30, No.14), known as the Public School  
12 Code of 1949, amended November 17, 2010 (P.L.996, No.104), are  
13 amended and the section is amended by adding subsections to  
14 read:

15 Section 1302-A. Office for Safe Schools.--\* \* \*

16 (c) In addition to the powers and duties set forth under  
17 subsection (b), the office is authorized to make targeted grants  
18 to school entities to fund programs which address school

1 violence, including:

2 \* \* \*

3 (8) Comprehensive, districtwide school safety [and],  
4 violence prevention, emergency preparedness and all-hazards  
5 plans[.], including revisions or updates to such plans and  
6 conducting emergency preparedness drills and related activities  
7 with local emergency responders.

8 \* \* \*

9 [(11) Establishment or enhancement of school security  
10 personnel, including school resource officers.]

11 \* \* \*

12 (c.1) (1) In addition to the powers and duties set forth  
13 under subsections (b) and (c), the office is authorized to make  
14 targeted grants to school entities and to municipalities to fund  
15 programs which address school violence by establishing or  
16 enhancing school security, including costs associated with the  
17 training and compensation of school resource officers and school  
18 police officers. Municipalities that receive grants under this  
19 subsection shall, with the prior consent of the governing board  
20 of the school entity or nonpublic school, assign school resource  
21 officers to carry out their official duties on the premises of  
22 the school ENTITY OR NONPUBLIC SCHOOL. <--

23 (2) Municipalities may not receive grant funds under this  
24 subsection for any purpose other than for costs associated with  
25 school resource officers and are not eligible for other grants  
26 provided to school entities under this section. In assigning  
27 school ~~resources~~ RESOURCE officers pursuant to this subsection, <--  
28 municipalities shall take into consideration the proportion of  
29 students enrolled in each school entity or nonpublic school.

30 (d) The office shall have the following duties as to

1 targeted grants:

2 (1) Targeted grants shall be allocated through a competitive  
3 grant review process established by the office. School entities  
4 must satisfy the requirements of this section and section 1303-A  
5 to be eligible for grants. The application for a targeted grant  
6 shall include:

7 (i) the purpose for which the targeted grant shall be  
8 utilized;

9 (ii) information indicating need for the targeted grant,  
10 including, but not limited to, school violence statistics;

11 (iii) an estimated budget;

12 (iv) methods for measuring outcomes; and

13 (v) any other criteria as the office may require.

14 (2) The office shall:

15 (i) Give priority in grant funding under subsection (c) to a  
16 school entity designated as a persistently dangerous school as  
17 defined in 22 Pa. Code § 403.2 (relating to definitions).

18 (ii) Give priority in grant funding under subsection (c) to  
19 school entities with the greatest need to establish safety and  
20 order.

21 (iii) To the greatest extent possible, ensure that grant  
22 funding is geographically dispersed to school entities and  
23 municipalities throughout this Commonwealth.

24 (IV) FOR SCHOOL ENTITIES AND MUNICIPALITIES THAT APPLY FOR <--  
25 FUNDING FOR THE TRAINING AND COMPENSATION OF SCHOOL RESOURCE  
26 OFFICERS AND SCHOOL POLICE OFFICERS UNDER SUBSECTION (C.1), GIVE  
27 PRIORITY TO SCHOOL ENTITIES AND MUNICIPALITIES THAT UTILIZE  
28 SCHOOL RESOURCE OFFICERS OR SCHOOL POLICE OFFICERS WHO HAVE  
29 COMPLETED ADDITIONAL TRAINING RECOMMENDED BY THE DEPARTMENT  
30 RELATING TO INTERACTION WITH ALL CHILDREN AND ADOLESCENTS WITHIN

1 A SCHOOL SETTING.

2 (V) FOR SCHOOL ENTITIES THAT APPLY FOR FUNDING FOR SCHOOL <--  
3 POLICE OFFICERS UNDER SUBSECTION (C.1), GIVE PRIORITY TO SCHOOL  
4 ENTITIES THAT UTILIZE SCHOOL POLICE OFFICERS WHO SATISFY ALL OF  
5 THE FOLLOWING:

6 (A) ARE RETIRED FEDERAL AGENTS OR RETIRED STATE, MUNICIPAL  
7 OR MILITARY POLICE OFFICERS.

8 (B) ARE INDEPENDENT CONTRACTORS OF THE SCHOOL ENTITY.

9 (C) ARE COMPENSATED ON AN HOURLY BASIS AND RECEIVE NO OTHER  
10 COMPENSATION OR FRINGE BENEFITS FROM THE SCHOOL ENTITY.

11 (D) HAVE COMPLETED SUCH ANNUAL TRAINING AS SHALL BE REQUIRED  
12 BY THE MUNICIPAL POLICE OFFICERS' EDUCATION AND TRAINING  
13 COMMISSION PURSUANT TO 53 PA.C.S. CH. 21 SUBCH. D (RELATING TO  
14 MUNICIPAL POLICE EDUCATION AND TRAINING).

15 (E) ARE IN SATISFACTION OF THE REQUIREMENTS OF SECTION 111.

16 (F) HAVE BEEN INDEMNIFIED BY THE SCHOOL ENTITY PURSUANT TO  
17 42 PA.C.S. § 8548 (RELATING TO INDEMNITY).

18 (G) ARE UTILIZED BY A SCHOOL ENTITY THAT HAS NOT EMPLOYED A  
19 SCHOOL POLICE OFFICER WITHIN THE THREE YEARS IMMEDIATELY  
20 PRECEDING THE EFFECTIVE DATE OF THIS CLAUSE.

21 NOTHING IN THIS CLAUSE SHALL BE CONSTRUED TO IMPACT ON GRANT  
22 DECISIONS FOR SCHOOL ENTITIES AND MUNICIPALITIES THAT APPLY FOR  
23 FUNDING FOR HIRING OF SCHOOL RESOURCE OFFICERS PURSUANT TO  
24 SUBSECTION (C.1).

25 (3) The office shall provide all targeted grant agreements  
26 to the Department of Education's comptroller for review and  
27 approval prior to awarding the grant. The school entity or  
28 municipality shall provide the office with full and complete  
29 access to all records relating to the performance of the grant,  
30 and shall submit, at such time and in such form as may be

1 prescribed, truthful and accurate information that the office  
2 may require. The office shall conduct a thorough annual  
3 evaluation of each program for which a grant under this section  
4 is made. The office shall seek repayment of funds if it  
5 determines that funds were not utilized for the original stated  
6 purpose.

7 (e) The sum appropriated annually to the Department of  
8 Education for the purpose of making targeted grants under this  
9 section shall be allocated as follows:

10 (1) Forty percent of the sum shall be allocated for grants  
11 under subsection (c).

12 (2) Sixty percent of the sum shall be allocated for grants  
13 under subsection (c.1).

14 Section 2. This act shall take effect July 1, 2013, or  
15 immediately, whichever is later.