
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 867 Session of
2015

INTRODUCED BY HUTCHINSON, SCARNATI, VULAKOVICH AND WHITE,
JUNE 2, 2015

REFERRED TO EDUCATION, JUNE 2, 2015

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, in terms and courses of
7 study, further providing for fire and emergency evacuation
8 drills.

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

11 Section 1. Section 1302-A(d) of the act of March 10, 1949
12 (P.L.30, No.14), known as the Public School Code of 1949,
13 amended July 9, 2014 (P.L.1039, No.122), is amended to read:

14 Section 1302-A. Office for Safe Schools.--* * *

15 (d) The office shall have the following duties as to
16 targeted grants:

17 (1) Targeted grants shall be allocated through a competitive
18 grant review process established by the office. School entities
19 must satisfy the requirements of this section and section 1303-A
20 to be eligible for grants. The application for a targeted grant
21 shall include:

- 1 (i) the purpose for which the targeted grant shall be
2 utilized;
- 3 (ii) information indicating need for the targeted grant,
4 including, but not limited to, school violence statistics;
- 5 (iii) an estimated budget;
- 6 (iv) methods for measuring outcomes; and
- 7 (v) any other criteria as the office may require.

8 (2) The office shall:

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

12 (ii) Give priority in grant funding under subsection (c) to
13 school entities with the greatest need to establish safety and
14 order.

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

18 (iv) For school entities, municipalities, local law
19 enforcement agencies and nonpublic schools that apply for
20 funding for the training and compensation of school resource
21 officers and school police officers under subsection (c.1), give
22 priority to school entities, municipalities, local law
23 enforcement agencies and nonpublic schools that utilize school
24 resource officers or school police officers who have completed
25 additional training recommended by the Department of Education
26 relating to interaction with all children and adolescents within
27 a school setting.

28 (v) For school entities or nonpublic schools that apply for
29 funding for school police officers under subsection (c.1), give
30 priority to school entities and nonpublic schools that utilize

1 school police officers who satisfy all of the following:

2 (A) Are retired Federal agents or retired State, municipal
3 or military police officers.

4 (B) Are independent contractors of the school entity or
5 nonpublic school.

6 (C) Are compensated on an hourly basis and receive no other
7 compensation or fringe benefits from the school entity or
8 nonpublic school.

9 (D) Have completed such annual training as shall be required
10 by the Municipal Police Officers' Education and Training
11 Commission pursuant to 53 Pa.C.S. Ch. 21 Subch. D (relating to
12 municipal police education and training).

13 (E) Are in satisfaction of the requirements of section 111.

14 (F) In the case of a school entity, have been indemnified by
15 the school entity pursuant to 42 Pa.C.S. § 8548 (relating to
16 indemnity).

17 (G) Are utilized by a school entity or nonpublic school that
18 has not employed a school police officer within the three years
19 immediately preceding the effective date of this clause.

20 Nothing in this clause shall be construed to impact on grant
21 decisions for school entities, municipalities or local law
22 enforcement agencies that apply for funding for hiring of school
23 resource officers pursuant to subsection (c.1).

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

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

6 (4) A public school, charter school or area vocational-
7 technical school is not eligible for a targeted grant unless the
8 school includes in its application documentation that the school
9 periodically conducts active shooter drills in accordance with
10 the plan under section 1517(e).

11 * * *

12 Section 2. Section 1517 of the act, amended January 14, 1970
13 (1969 P.L.468, No.192), is amended to read:

14 Section 1517. Fire and Emergency Evacuation Drills.--(a) In
15 all public schools where fire-escapes, appliances for the
16 extinguishment of fires, or proper and sufficient exits in case
17 of fire or panic, either or all, are required by law to be
18 maintained, fire drills shall be periodically conducted, not
19 less than one a month, by the teacher or teachers in charge,
20 under rules and regulations to be promulgated by the district
21 superintendent under whose supervision such schools are. In such
22 fire drills the pupils and teachers shall be instructed in, and
23 made thoroughly familiar with, the use of the fire-escapes,
24 appliances and exits. The drill shall include the actual use
25 thereof, and the complete removal of the pupils and teachers, in
26 an expeditious and orderly manner, by means of fire-escapes and
27 exits, from the building to a place of safety on the ground
28 outside.

29 (b) District superintendents are hereby required to see that
30 the provisions of this section are faithfully carried out in the

1 schools over which they have charge.

2 (c) Any person who violates or fails to comply with the
3 provisions of this section shall be guilty of a misdemeanor, and
4 on conviction shall be sentenced to pay a fine of not less than
5 twenty-five dollars (\$25) nor more than five hundred dollars
6 (\$500), or to undergo imprisonment in the county jail for not
7 less than (10) days or more than sixty (60) days, or both.

8 (d) (1) All schools using or contracting for school buses
9 for the transportation of school children shall conduct on
10 school grounds two emergency evacuation drills on buses during
11 each school year, the first to be conducted during the first
12 week of the first school term and the second during the month of
13 March, and at such other times as the chief school administrator
14 may require. Each such drill shall include the practice and
15 instruction concerning the location, use and operation of
16 emergency exit doors and fire extinguishers and the proper
17 evacuation of buses in the event of fires or accidents.

18 (2) Bus operators shall be provided with proper training and
19 instructions to enable them to carry out the provisions of this
20 subsection and may be required to attend classes and drills in
21 connection therewith.

22 (3) On or before the tenth day of April of each year, each
23 district superintendent shall certify to the Department of
24 [Public Instruction] Education that the emergency evacuation
25 drills herein required have been held.

26 (e) (1) In any public school, active shooter drills may be
27 periodically conducted. The drills may be in place of, or in
28 addition to, two of the required monthly fire drills. In the
29 active shooter drill, the pupils and teachers shall be
30 instructed in, and made thoroughly familiar with, the steps to

1 be taken in the event of an active shooter.

2 (2) The Department of Education, through its Office for Safe
3 Schools, shall develop a plan that describes best practices and
4 establishes minimum standards for active shooter drills. The
5 plan must be approved by the Pennsylvania State Police prior to
6 the adoption of the plan by the Department of Education and use
7 of the plan by schools.

8 (3) District superintendents are required to ensure that
9 active shooter drills in the schools over which they have charge
10 are carried out in conformity with the plan.

11 (4) The Office for Safe Schools shall annually review the
12 plan and make revisions as necessary.

13 (5) School employes shall be provided with proper training
14 and instructions to enable them to carry out the provisions of
15 this subsection.

16 Section 3. This act shall take effect in 60 days.