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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 35 Session of  
2017

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INTRODUCED BY HUTCHINSON, SCARNATI, FONTANA, LANGERHOLC,  
VULAKOVICH AND YUDICHAK, JANUARY 12, 2017

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REFERRED TO EDUCATION, JANUARY 12, 2017

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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. Sections 1302-A(d) and 1517 of the act of March  
12 10, 1949 (P.L.30, No.14), known as the Public School Code of  
13 1949, are 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 1517. Fire and Emergency Evacuation Drills.--(a) In  
13 all public schools where fire-escapes, appliances for the  
14 extinguishment of fires, or proper and sufficient exits in case  
15 of fire or panic, either or all, are required by law to be  
16 maintained, fire drills shall be periodically conducted, not  
17 less than one a month, by the teacher or teachers in charge,  
18 under rules and regulations to be promulgated by the district  
19 superintendent under whose supervision such schools are. In such  
20 fire drills the pupils and teachers shall be instructed in, and  
21 made thoroughly familiar with, the use of the fire-escapes,  
22 appliances and exits. The drill shall include the actual use  
23 thereof, and the complete removal of the pupils and teachers, in  
24 an expeditious and orderly manner, by means of fire-escapes and  
25 exits, from the building to a place of safety on the ground  
26 outside.

27 (b) District superintendents are hereby required to see that  
28 the provisions of this section are faithfully carried out in the  
29 schools over which they have charge.

30 (c) Any person who violates or fails to comply with the

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

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

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

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

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

30 (2) The Department of Education, through its Office for Safe

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

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

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

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

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