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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 1211 Session of  
2018

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INTRODUCED BY REGAN, LANGERHOLC, MARTIN, MCGARRIGLE, SCARNATI,  
GORDNER, BROWNE, YAW, HUTCHINSON, BARTOLOTTA, RAFFERTY,  
BREWSTER, VULAKOVICH, RESCHENTHALER, STEFANO, YUDICHAK AND  
WARD, JUNE 22, 2018

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REFERRED TO EDUCATION, JUNE 22, 2018

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AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania  
2 Consolidated Statutes, in public safety, providing for the  
3 School Safety and Security Program.

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

6 Section 1. Title 35 of the Pennsylvania Consolidated  
7 Statutes is amended by adding a chapter to read:

8 CHAPTER 21

9 SCHOOL SAFETY AND SECURITY PROGRAM

10 Sec.

11 2101. Short title of chapter.

12 2102. Purpose.

13 2103. Definitions.

14 2104. School Safety and Security Program Committee.

15 2105. Powers and duties of committee.

16 2106. Duties of department.

17 2107. Confidentiality.

1 § 2101. Short title of chapter.

2 This chapter shall be known and may be cited as the School  
3 Safety and Security Program Act.

4 § 2102. Purpose.

5 The purpose of this chapter is to create a program that  
6 provides an achievable and affordable safe learning and working  
7 environment in all schools of this Commonwealth by using  
8 innovative tools, security industry best practices and  
9 technology to help school personnel prepare for, mitigate and  
10 respond to potential life-threatening situations.

11 § 2103. Definitions.

12 The following words and phrases when used in this chapter  
13 shall have the meanings given to them in this section unless the  
14 context clearly indicates otherwise:

15 "Commission." The Pennsylvania Commission on Crime and  
16 Delinquency.

17 "Committee." The School Safety and Security Program  
18 Committee established under section 2104 (relating to School  
19 Safety and Security Program Committee).

20 "Department." The Department of Education of the  
21 Commonwealth.

22 "Learning Management System" or "LMS." A web-based software  
23 system for assessments, surveys and training that, at a minimum,  
24 has the following capabilities:

25 (1) Collects school safety data from electronic and in-  
26 person assessments.

27 (2) Identifies school entities that are noncompliant  
28 with best practices for school safety and security  
29 established by the committee.

30 (3) Contains assessment data, surveys, school safety and

1 security plans and training programs that are customizable to  
2 each school entity and building.

3 (4) Provides reports for users authorized by the  
4 committee.

5 (5) Offers an online classroom for web-based training.

6 (6) Provides for all data collected by the system to be  
7 owned and controlled by the Commonwealth.

8 "Program." The School Safety and Security Program under  
9 section 2105(a)(1) (relating to powers and duties of committee).

10 The critical elements of the program are assessing and planning  
11 and training, equipping and sustaining school entities to meet  
12 best school safety and security practices.

13 "Risk and vulnerability assessment." The process of defining  
14 and analyzing the dangers to and susceptibilities of  
15 individuals, school entities and school employees in the event  
16 of natural and human-caused adverse events.

17 "School employee security capability assessment." The  
18 process of identifying the current abilities of all school  
19 employees to prepare for, mitigate and respond to potential  
20 life-threatening situations.

21 "School entity." A school district, intermediate unit, area  
22 vocational-technical school, charter school or a private  
23 residential rehabilitation institution as defined in section  
24 914.1-A(c) of the act of March 10, 1949 (P.L.30, No.14), known  
25 as the Public School Code of 1949.

26 "School safety and security plan." A written standardized  
27 document used by school entities and authorized personnel to  
28 prepare for, mitigate and respond to life-threatening  
29 situations, including, but not limited to, threats of violence,  
30 violent events, fires, severe weather, natural disasters,

1 medical emergencies and hazardous situations.

2 § 2104. School Safety and Security Program Committee.

3 (a) Committee established.--The School Safety and Security  
4 Program Committee is established within the Pennsylvania  
5 Commission on Crime and Delinquency.

6 (b) Composition.--The committee shall consist of the  
7 following:

8 (1) Four members, one of whom shall be appointed by the  
9 President pro tempore of the Senate, one of whom shall be  
10 appointed by the Minority Leader of the Senate, one of whom  
11 shall be appointed by the Speaker of the House of  
12 Representatives and one of whom shall be appointed by the  
13 Minority Leader of the House of Representatives.

14 (2) A chairperson who shall be appointed by the  
15 Governor, by and with the advice and consent of two-thirds of  
16 all the members of the Senate.

17 (3) The Secretary of Education or a designee who shall  
18 be an employee of the department.

19 (4) The Director of the Pennsylvania Emergency  
20 Management Agency or a designee who shall be an employee of  
21 the Pennsylvania Emergency Management Agency.

22 (5) The Commissioner of Pennsylvania State Police or a  
23 designee who shall be an employee of the Pennsylvania State  
24 Police.

25 (6) The Attorney General or a designee who shall be an  
26 employee of the Office of Attorney General.

27 (7) A representative from the Pennsylvania Association  
28 of School Business Officials.

29 (8) A representative from the Pennsylvania Fraternal  
30 Order of Police.

1           (9) Six members who are recognized subject matter  
2 experts, one member to represent each of the following areas,  
3 selected by the legislative appointees to the committee under  
4 subsection (b) (1):

5           (i) Mental health.

6           (ii) Strategic security.

7           (iii) Security equipment.

8           (iv) Architecture.

9           (v) Information technology systems.

10          (vi) County emergency management administration.

11 (c) Terms.--The terms of the members shall be as follows:

12          (1) The members specified under subsection (b) (1) shall  
13 serve for a term of three years and shall not be eligible to  
14 serve more than two full consecutive three-year terms. A  
15 member shall remain on the committee until the member's  
16 replacement is appointed.

17          (2) The terms of the members under subsection (b) (3),  
18 (4), (5) and (6) shall be concurrent with their service in  
19 the office from which they derive their membership.

20          (3) The members under subsection (b) (2), (7), (8) and  
21 (9) shall serve four-year terms and shall not be eligible to  
22 serve more than two full consecutive four-year terms. A  
23 member shall remain on the committee until the member's  
24 replacement is appointed.

25 (d) Quorum.--A majority of the members of the committee  
26 shall constitute a quorum. Action may be taken by the committee  
27 at a meeting upon a vote of a quorum of its members present in  
28 person or through electronic means.

29 (e) Meetings.--The committee shall meet as necessary at the  
30 call of the chairperson.

1 (f) Reimbursement.--The committee members shall serve  
2 without compensation but may be reimbursed for necessary and  
3 reasonable expenses incurred in attending meetings of the  
4 committee and in the performance of duties under section 2105  
5 (relating to powers and duties of committee).

6 (g) Formation.--The committee shall be formed within 15 days  
7 of the effective date of this chapter.

8 (h) Interim chairperson.--Until such time as the chairperson  
9 is confirmed by the Senate, the committee shall select an  
10 interim chair from among its membership.

11 (i) Staffing.--The commission shall cooperate with the  
12 committee to select staff to be employed by the commission and  
13 assigned to support the committee to adequately perform the  
14 duties outlined in section 2105.

15 § 2105. Powers and duties of committee.

16 (a) Duties.--The committee has the power and duty to:

17 (1) Oversee, direct and evaluate the implementation of  
18 the School Safety and Security Program.

19 (2) Establish best practices related to assessment,  
20 training standards, planning and compliance oversight in all  
21 matters regarding school safety and security.

22 (3) Identify or develop, update and maintain a database  
23 for all program-gathered information for use by school  
24 employees and other authorized personnel. The Commonwealth  
25 shall maintain control of any data collected under the  
26 program.

27 (4) Identify or develop, update and maintain a Learning  
28 Management System for use by school employees and other  
29 authorized personnel, which shall include updating and  
30 maintaining a risk and vulnerability assessment and school

1 employee security capability assessment tool.

2 (5) Develop a school safety and security assessment  
3 process.

4 (6) Establish a minimum set of qualifications and  
5 certifications for school employees and third-party vendors  
6 to assist in the risk and vulnerability and school employee  
7 security capability assessment process.

8 (7) Advise and assist the department in the  
9 dissemination, completion and analysis of the LMS assessment  
10 data by all school entities.

11 (8) Identify or develop, update and maintain a  
12 standardized school safety and security plan for use by all  
13 school entities.

14 (9) Establish a minimum set of qualifications and  
15 certifications for school employees and third-party vendors  
16 to assist in the development of a standardized school safety  
17 and security plan.

18 (10) Oversee the dissemination and modification of the  
19 standardized school safety and security plan.

20 (11) Identify or develop, update and maintain a  
21 standardized school safety and security training program,  
22 including web-based and live, scenario-based training.

23 (12) Establish a minimum set of qualifications and  
24 certifications for school employees and third-party vendors  
25 to assist in the development of web-based and live scenario-  
26 based training related to the school safety and security  
27 plan. Employees required to undergo continuing education  
28 under section 1205.2 of the act of March 10, 1949 (P.L.30,  
29 No.14), known as the Public School Code of 1949, shall  
30 receive credit toward their continuing professional education

1 requirements if the training program has been approved by the  
2 department in consultation with the commission.

3 (13) Oversee the development, updating and modification  
4 of all school safety and security training related to the  
5 standardized school safety and security plan for use by  
6 school employees and qualified, certified third-party vendors  
7 in the delivery of web-based and live scenario-based  
8 training.

9 (14) Establish a minimum set of qualifications and  
10 certifications for school employees and third-party vendors  
11 in the delivery of web-based and live scenario-based  
12 training.

13 (15) Develop, update and maintain an annual sustainment  
14 program related to the assessment, planning, training and  
15 implementation processes outlined under this subsection.

16 (b) Coordination.--The committee shall coordinate with the  
17 commission and the department to carry out the duties under  
18 subsection (a). The following apply:

19 (1) Beginning November 1, 2018, at least 600  
20 standardized onsite school safety and security assessments  
21 shall be completed annually. School entities shall be  
22 identified and prioritized based upon initial assessment data  
23 results.

24 (2) Beginning September 1, 2019, at least 750  
25 standardized live, scenario-based training sessions shall be  
26 conducted annually.

27 (3) Prior to the start of the 2019-2020 school year, all  
28 school entities shall have completed or received:

29 (i) An initial school employee security capability  
30 assessment.



1 (ii) An initial school safety and security plan.

2 (iii) An initial LMS school safety and security  
3 training course.

4 § 2106. Duties of department.

5 (a) Duties.--The department shall:

6 (1) Deliver the LMS to school employees and other  
7 authorized personnel by October 1, 2018. The LMS data shall  
8 be gathered by October 31, 2018.

9 (2) After the initial gathering of LMS data under  
10 paragraph (1), utilize the LMS to gather data on or before  
11 September 1 of each year.

12 (3) Provide the annual LMS data to the committee.

13 (b) Coordination.--The department shall:

14 (1) Coordinate with the commission and committee to  
15 carry out the duties under subsection (a).

16 (2) Coordinate with the commission on training,  
17 including, but not limited to, training under section  
18 2105(11), (12), (13) and (14) (relating to powers and duties  
19 of committee).

20 (c) Noncompliance.--The department may withhold any funding  
21 related to school safety and security to any school district  
22 that fails to comply with the program.

23 § 2107. Confidentiality.

24 (a) Right-to-Know Law inapplicable.--Data provided for the  
25 purposes of carrying out the requirements of this chapter shall  
26 be confidential and shall not be subject to the act of February  
27 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law, or  
28 discoverable or admissible as evidence in any civil, criminal or  
29 administrative action or proceeding.

30 (b) Access to data.--Nothing in this section shall prohibit

1 the committee from accessing the data to carry out  
2 responsibilities in accordance with this chapter.

3 Section 2. This act shall take effect immediately.