

No. 2013-70

AN ACT

SB 10

Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," in safe schools, further providing for Office for Safe Schools and providing for allocation of certain appropriated funds.

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

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

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

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

* * *

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

* * *

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

* * *

(c.1) (1) In addition to the powers and duties set forth under subsections (b) and (c), the office is authorized to make targeted grants to school entities and to municipalities to fund programs which address school violence by establishing or enhancing school security, including costs associated with the training and compensation of school resource officers and school police officers. Municipalities that receive grants under this subsection shall, with the prior consent of the governing board of the school entity or nonpublic school, assign school resource officers to carry out their official duties on the premises of the school entity or nonpublic school.

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

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

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

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

(2) The office shall:

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

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

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

(iv) For school entities and municipalities that apply for funding for the training and compensation of school resource officers and school police officers under subsection (c.1), give priority to school entities and municipalities that utilize school resource officers or school police officers who have completed additional training recommended by the Department of Education relating to interaction with all children and adolescents within a school setting.

(v) For school entities that apply for funding for school police officers under subsection (c.1), give priority to school entities that utilize school police officers who satisfy all of the following:

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

(B) Are independent contractors of the school entity.

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

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

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

(F) Have been indemnified by the school entity pursuant to 42 Pa.C.S. § 8548 (relating to indemnity).

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

Nothing in this clause shall be construed to impact on grant decisions for school entities and municipalities that apply for funding for hiring of school resource officers pursuant to subsection (c.1).

(3) The office shall provide all targeted grant agreements to the Department of Education's comptroller for review and approval prior to

awarding the grant. The school entity *or municipality* shall provide the office with full and complete access to all records relating to the performance of the grant, and shall submit, at such time and in such form as may be prescribed, truthful and accurate information that the office may require. The office shall conduct a thorough annual evaluation of each program for which a grant under this section is made. The office shall seek repayment of funds if it determines that funds were not utilized for the original stated purpose.

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

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

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

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

APPROVED—The 18th day of July, A.D. 2013

TOM CORBETT