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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 715 Session of  
2013

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INTRODUCED BY METCALFE, BAKER, BENNINGHOFF, BLOOM, BOBACK,  
CAUSER, D. COSTA, DENLINGER, EMRICK, EVERETT, GABLER, HESS,  
KAUFFMAN, KNOWLES, MARSHALL, MILLARD, MURT, REED, ROCK,  
SWANGER AND TALLMAN, FEBRUARY 13, 2013

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REFERRED TO COMMITTEE ON EDUCATION, FEBRUARY 13, 2013

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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," further providing for school police  
6 officers; and providing for school security personnel.

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

9 Section 1. Section 778 of the act of March 10, 1949 (P.L.30,  
10 No.14), known as the Public School Code of 1949, amended or  
11 added June 25, 1997 (P.L.297, No.30) and July 4, 2004 (P.L.536,  
12 No.70), is amended to read:

13 Section 778. School Police Officers.--(a) Any school  
14 district may apply to any judge of the court of common pleas of  
15 the county within which the school district is situated to  
16 appoint such person or persons as the board of directors of the  
17 school district may designate to act as school police officer  
18 for said school district. The judge, upon such application, may  
19 appoint such person, or so many of them as he may deem proper,

1 to be such school police officer and shall note the fact of such  
2 appointment to be entered upon the records of the court. The  
3 judge may, at the request of the school district, grant the  
4 school police officer the power to arrest as provided in  
5 subsection (c)(2), the authority to issue citations for summary  
6 offenses or the authority to detain students until the arrival  
7 of local law enforcement, or any combination thereof.

8 (a.1) Any school district which employs a school police  
9 officer under this section shall report annually to the  
10 Department of Education, Office of Safe Schools, the following  
11 information regarding school police officers receiving training  
12 as required under 53 Pa.C.S. Ch. 21 Subch. D (relating to  
13 municipal police education and training):

14 (1) The identity of the school district and the number of  
15 school police officers it employs.

16 (2) The municipalities comprising the school district.

17 (3) The date and type of training provided to each school  
18 police officer.

19 (b) Every school police officer so appointed shall, before  
20 entering upon the duties of his office, take and subscribe to  
21 the oath required by the seventh article of the Constitution,  
22 before an alderman or justice of the peace or prothonotary. Such  
23 oath shall be filed by the justice of the peace, alderman, or  
24 prothonotary among his papers, and a note made upon his docket  
25 of the fact of the oath having been taken.

26 (b.1) Every school police officer who has been granted  
27 powers under subsection (c)(2) or (3) or has been authorized to  
28 carry a firearm must, before entering upon the duties of his  
29 office, successfully complete [training as set forth in 53  
30 Pa.C.S. Ch. 21 Subch. D.] any of the following training:

1 (1) Municipal police education and training under 53 Pa.C.S.  
2 Ch. 21 Subch. D (relating to municipal police education and  
3 training).

4 (2) Basic officer training from the Pennsylvania State  
5 Police Academy.

6 (3) Deputy sheriff's education and training under the act of  
7 February 9, 1984 (P.L.3, No.2), known as the "Deputy Sheriffs'  
8 Education and Training Act."

9 (c) Such school police officer so appointed shall severally  
10 possess and exercise all the following powers and duties:

11 (1) To enforce good order in school buildings, on school  
12 buses and on school grounds in their respective school  
13 districts. For purposes of this clause, the term "school bus"  
14 shall include vehicles leased by the school district to  
15 transport students and vehicles of mass transit used by students  
16 to go to and from school when the school police officer is  
17 responding to a report of an incident involving a breach of good  
18 order or violation of law.

19 (2) If authorized by the court, to exercise the same powers  
20 as are now or may hereafter be exercised under authority of law  
21 or ordinance by the police of the municipality wherein the  
22 school property is located.

23 (3) If authorized by the court, to issue summary citations  
24 or to detain individuals until local law enforcement is  
25 notified.

26 (d) Such school police officer shall, when on duty,  
27 severally wear a metallic shield or badge with the words "School  
28 Police," and the name of the district for which appointed. Such  
29 shield shall always be worn in plain view when on duty except  
30 when employed as detective.

1 (e) The compensation of such school police officers shall be  
2 paid by the school district for which the school police officers  
3 are respectively appointed, as may be agreed upon between the  
4 board of school directors and the school police officer.

5 (f) School districts and municipalities may enter into  
6 cooperative police service agreements pursuant to 42 Pa.C.S. §  
7 8953(e) (relating to Statewide municipal police jurisdiction) to  
8 authorize the exercise of concurrent jurisdiction with local law  
9 enforcement within the municipality where the school or school  
10 district is located or within the municipality in which a school  
11 event or activity will take place.

12 (g) When acting within the scope of this section, school  
13 police officers shall, at all times, be employes of the school  
14 district and shall be entitled to all of the rights and benefits  
15 accruing therefrom.

16 (h) Nothing in this section shall be construed to preclude a  
17 school district from employing or contracting for the provision  
18 of services for other security personnel as the school district  
19 deems necessary.

20 Section 2. The act is amended by adding a section to read:

21 Section 778.1. School Security Personnel.--(a) School  
22 districts may employ or contract for the provision of services  
23 for security personnel as the school district deems necessary.

24 (b) Security personnel authorized to carry a firearm must  
25 first successfully complete any of the following training or  
26 certification:

27 (1) Municipal police education and training under 53 Pa.C.S.  
28 Ch. 21 Subch. D (relating to municipal police education and  
29 training).

30 (2) Basic officer training from the Pennsylvania State

1 Police Academy.

2 (3) Deputy sheriff's education and training under the act of  
3 February 9, 1984 (P.L.3, No.2), known as the "Deputy Sheriffs'  
4 Education and Training Act."

5 (4) Lethal weapons training under the act of October 10,  
6 1974 (P.L.705, No.235), known as the "Lethal Weapons Training  
7 Act."

8 (5) Retired law enforcement identification under the act of  
9 December 13, 2005 (P.L.432, No.79), known as the "Retired Law  
10 Enforcement Identification Act."

11 (6) Any other firearms program that has been determined by  
12 the Commissioner of the Pennsylvania State Police to be of  
13 sufficient scope and duration as to provide the participant with  
14 basic training in the use and handling of firearms.

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