



School Safety and Security Guidance Related to Security Personnel

Introduction

On July 2, 2019, [Act 67 of 2019 \(Act 67\)](#) was signed into law. Act 67, which took effect August 31, 2019, amended Article XIII-C of the Pennsylvania School Code and made updates to Pennsylvania's school safety laws, specifically regarding the training and credentials required for school resource officers (SROs), school police officers (SPOs), and school security guards.

Act 67 explicitly delineated which personnel a school entity or nonpublic school may authorize to carry firearms. Under Act 67, school entities and non-public schools may only authorize school employees or contractors who meet the definition of "school security personnel"—SPOs, SROs, and school security guards—to carry firearms while performing their school duties. Act 67 does not permit individuals outside of this definition (i.e., teachers) to carry firearms while performing their school duties.

On November 27, 2019, Article XIII-C of the Pennsylvania School Code was amended again through Act 91 of 2019 (Act 91). Act 91, which took effect immediately, extended the time within which SPOs, SROs, and unarmed school security guards who were employed or contracted by a school entity or nonpublic school prior to September 2, 2019 must successfully complete the Basic School Resource Officer Course offered by the National Association of School Resource Officers, or an approved equivalent course of instruction. Under Act 91, such individuals must complete such courses by the beginning of the 2020-2021 school year. Armed school security guards who were employed or contracted by a school entity or nonpublic school before September 2, 2019 must successfully complete the instruction by February 28, 2020, unless the school entity or non-public school approves an extension of time due to "hardship". Act 91 also restored provisions that grant SPOs the authority to arrest. Specific details are outlined in more detail below.

The following guidance provides direction to school entities (i.e., school districts, intermediate units, career and technical schools, charter schools, and private residential rehabilitative institutions) and non-public schools about the training and credentials that are required in order for ***school security personnel*** to be armed within the scope of their employment.

School Security Personnel

"School security personnel" are defined as SPOs, SROs, and school security guards.

An SPO is any of the following:

- A law enforcement officer employed by a school entity or nonpublic school whose responsibilities, including work hours, are established by the school entity or nonpublic school.
- An independent contractor or an individual provided through a third-party vendor who has been appointed by a judge of the court of common pleas of the county within which the school entity or nonpublic school is situated, as designated by the school board or administration of the nonpublic school.

NOTE: An independent contractor is an individual, including a retired Federal agent or retired State, municipal or military police officer or retired sheriff or deputy sheriff, whose responsibilities, including work hours, are established in a written contract with a school entity or a nonpublic school for the purpose of performing school security services.

A third-party vendor is a company or entity approved by the Pennsylvania Department of Education (PDE) Office for Safe Schools or the Pennsylvania Commission on Crime and Delinquency (PCCD) that provides school security services.

An SRO is a law enforcement officer commissioned and employed by a law enforcement agency whose duty station is located in a school entity or nonpublic school and whose stationing is established by an agreement between the law enforcement agency and the school entity or nonpublic school. The term also includes an active certified sheriff or deputy sheriff whose stationing in the school entity or nonpublic school is established by a written agreement between the county, the sheriff's office and the school entity or nonpublic school.

A school security guard is an individual employed by a school entity, nonpublic school or a third-party vendor or an independent contractor who is assigned to a school for routine safety and security duties and has not been granted school police officer powers and duties. A school security guard may provide the following services as determined by the school entity or nonpublic school: school safety support services; enhanced campus supervision; assistance with disruptive students; monitoring visitors on campus; coordination with law enforcement officials, including SPOs and SROs; and security functions which improve and maintain school safety.

All SPOs, SROs, and unarmed school security guards hired prior to September 2, 2019 must successfully complete the required instruction (see below) no later than the beginning of the 2020-2021 school year.

Armed school security guards hired prior to September 2, 2019 must successfully complete the specific instruction required by Act 67 no later than February 28, 2020, unless the school entity or nonpublic school approves an extension of time due to "hardship". If an extension of

time is approved, the extension may not exceed the beginning of the 2020-2021 school year and must be approved through the process outlined below.

School security personnel hired on or after September 2, 2019 must successfully complete the required instruction prior to starting their duties.

Training

School Police Officers

SPOs must meet the following training requirements if the court grants the SPO the authority to carry a firearm, if granted the power to issue citations or detain individuals, or if hired through an independent contractor or third-party vendor:

1. Successfully complete basic training as required by the Municipal Police Officers Education and Training Commission under 53 Pa.C.S. Ch. 21 Subch. D (relating to municipal police education and training) or have graduated from the Pennsylvania State Police Academy, been employed as a State trooper with the Pennsylvania State Police, and separated from that service in good standing; and
2. Successfully complete the Basic School Resource Officer Course of Instruction offered by the National Association of School Resource Officers (NASRO) or an equivalent course of instruction approved by PCCD. SPOs employed or contracted by a school entity or nonpublic school before September 2, 2019 have until the beginning of the 2020-2021 school year to complete this instruction.

All SPOs also must attend annual in-service training approved by the Municipal Police Officers' Education and Training Commission under 53 Pa.C.S. Ch. 21 Subch. D.

School Resource Officers

Prior to entering upon the duties of the office, each SRO must successfully complete the Basic School Resource Officer Course of Instruction offered by NASRO or an equivalent course of instruction approved by PCCD. SROs stationed in a school entity or nonpublic school prior to September 2, 2019 have until the beginning of the 2020-2021 school year to complete this instruction.

School Security Guards

A school entity or nonpublic school may employ or contract with an independent contractor or third-party vendor for an armed school security guard if all the following additional conditions are met:

1. The school security guard is licensed under 18 Pa.C.S. Ch. 61 Subch. A (relating to Uniform Firearms Act), *with certain exceptions defined below;

2. The school security guard has successfully completed and is currently certified under Act 235 of 1974, known as the Lethal Weapons Training Act, *with certain exceptions defined below; and
3. The school security guard has satisfied the background check requirements under Sections 111 and 111.1 of the Public School Code and 23 Pa.C.S. § 6344 (relating to employees having contact with children; adoptive and foster parents).

*Active law enforcement officers are exempt from the training requirements for school security guards under (1) and (2) above upon presentation to the school entity or nonpublic school of evidence of their completion of the training requirements under 53 Pa.C.S. Ch. 21 Subch. D (relating to municipal police education and training).

*Retired law enforcement officers are exempt from the training requirements for school security guards under (1) and (2) above if the retired officer: (a) complies with Section 8.1 of Act 235 of 1974 (Lethal Weapons Training Act); or (b) has been issued a firearm training and qualification card under Section 5 of Act 79 of 2005 (Retired Law Enforcement Identification Act).

All school security guards –armed or unarmed – must successfully complete the Basic School Resource Officer Course of Instruction offered by NASRO or an equivalent course of instruction approved by PCCD.

Unarmed school security guards who were employed or contracted by a school entity or nonpublic school prior to September 2, 2019 have until the beginning of the 2020-2021 school year to complete this instruction.

Armed school security guards who are employed or contracted by a school entity or nonpublic school before September 2, 2019 have until February 28, 2020 to complete the required training unless an extension is approved by the governing body of a school entity or a nonpublic school due to a hardship in complying with the deadline. To approve an extension:

- The governing body must determine that complying with the instruction deadline would present a hardship for the school entity or nonpublic school.
- The governing body of a school entity which is subject to 65 Pa.C.S. Ch. 7 (relating to open meetings) may discuss the issue of a hardship extension in executive session, except that approval of the hardship extension must occur at a public meeting.
- The school entity or nonpublic school shall submit the approved hardship extension to PDE's Office of Safe Schools not later than 15 days from the date of approval. Any documentation submitted under this clause is not subject to the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law.

A hardship may exist where timely completion of training is not possible because:

- It would require absence of school security guards while school is in session, and result in increased risk to students, staff or visitors.

- Deployment or active military service, illness, family emergency, death in the immediate family or other approved leave of absence would prevent school security guards from complying with the instruction deadline.

If such an extension is approved, the school entity or non-public school may extend the deadline to complete the instruction to no later than the beginning of the 2020-2021 school year.