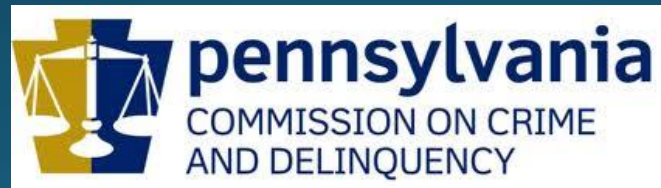


Act 44 of 2018: Key Information for School Entities

August 2018



Act 44 – What Is it?

- Signed into law on June 22, 2018, effective immediately.
- Contains multiple provisions for school safety and security, and impacts the following:
 - School Entities, including all teachers, staff, administrators, school police officers, school resource officers, and school security;
 - [Pennsylvania Commission on Crime and Delinquency \(PCCD\)](#);
 - [PA Department of Education](#);
 - [PA State Police](#); and
 - [Attorney General's Office](#).
- The law can be found here:
 - <http://www.legis.state.pa.us/cfdocs/legis/li/uconsCheck.cfm?yr=2018&sessInd=0&act=44>

Act 44 – What Does It Do?

1. Mandates the appointment of School Safety and Security Coordinators.
2. Creates the School Safety and Security Committee within PCCD, which must:
 - a. Develop criteria to assess school safety and security;
 - b. Establish a registry for vendors who may conduct school safety assessments;
 - c. Issue a survey to school entities to review school security preparedness; and
 - d. Administer \$60 million in funding via grants.
3. Expands PA State Police's Risk and Vulnerability Assessment Team (RVAT) unit.
4. Establishes mandatory school safety training for school entity employees.
5. Establishes standards for school police, school resource officers and school security guards.
6. Establishes the Safe2Say Program in the Attorney General's Office.

1. Mandates Appointment of School Safety and Security Coordinators.

Deadline – August 31, 2018

- **Each chief school administrator of a school entity** (i.e., school district, intermediate unit, area vocational-technical school, charter school or private residential rehabilitative institution) **shall appoint a school administrator as the school safety and security coordinator no later than August 31, 2018.**
- The coordinator reports directly to the chief school administrator, and does the following:
 - Oversees school police, resource officers and school security;
 - Reviews the school entity's policies and procedures;
 - Coordinates training and resources for students and staff;
 - Coordinates school safety and security assessments;
 - Reports to the school entity board (via executive session) by June 30 each year on school safety and security;
 - Coordinates biennial tour of school entity's buildings with law enforcement and first responders to coordinate security matters; and
 - Serves as the liaison to the Committee, PA Department of Education, law enforcement and other organizations on matters of school safety and security.

2. Creates School Safety and Security Committee within PCCD: An Overview of Duties

- The Committee is required to do the following:
 1. By September 30, 2018, establish criteria to be used when conducting school safety and security assessments.
 2. By October 31, 2018, establish criteria for registration of persons or entities to conduct school safety and security assessments and receive registration applications.
 3. By October 31, 2018, develop a survey to distribute to school entities to measure school safety and security throughout the Commonwealth, review the surveys and notify school entity of findings.
 4. Administer \$60 million in the School Safety and Security Grant Program.

2(a). School Safety and Security Committee: Assessment Criteria

Required by September 30, 2018

- The Committee must establish school safety and security assessment criteria (See Act 44, Section 1303-B (A) (1-3)).
- Three mandatory areas of assessment that must be included in the criteria:
 1. Physical Assessment.
 2. Policy and Training Assessment.
 3. Student Assistance and Behavioral Health Assessment.

2(a). School Safety and Security Committee: Physical Assessment

1. **Physical Assessment** – Shall consist of an evaluation of the School Entity's structural facilities and surrounding property, including:
 - a. Review of existing safety and security plans and plans;
 - b. Review of existing plans for crisis response and mitigation;
 - c. Analysis of crime and prevention policy and practices, including environmental design;
 - d. Discussions with local law enforcement; and
 - e. Analysis of school agreements with local law enforcement.

2(a). School Safety and Security Committee: Policy and Training Assessment

- 2. Policy and Training Assessment** – Shall consist of an evaluation of a school entity's policies and practices, including:
 - a. Analysis of policies related to student safety, security and management issues;
 - b. Discussions with employees;
 - c. Review of student code of conduct;
 - d. Review of safety and security training practices;
 - e. Recommendations for effective school safety and security training for employees;
and
 - f. Analysis of communications practices and available technology tools.

2(a). School Safety and Security Committee: Student Assistance and Behavioral Health Assessment

- 3. Student Assistance and Behavioral Health Assessment – Shall consist of an analysis of school climate including:**
 - a. The availability of student assistance programs and behavioral health professionals to provide assistance to the school entity; and
 - b. A review of recommendations by behavioral and physical health professionals and consideration of their recommendations.

2(b). School Safety and Security Committee: Registration of School Safety Assessors Required by October 31, 2018

- Act 44, Section 1304-B. (A) –(C)
 - The Committee shall establish criteria for registration of a person or entity with knowledge and experience in matters of school safety and security that qualifies the person to conduct school safety and security assessments.
 - Application for registration will be made to the Committee in a manner prescribed by the Committee.

2(c). School Safety and Security Committee: School Safety and Security Survey Required by October 31, 2018

- Act 44, Section 1304-B (A)-(C)

The Committee shall develop a survey instrument to distribute to school entities to measure school safety and security preparedness throughout the Commonwealth.

1. By **November 30, 2018** – Each school entity must complete the survey and submit any pre-existing school safety and security assessment that was completed within the last three years to the Committee.
 - a. Any data collected through the survey and assessments is confidential and not subject to the Right-to-Know Law.
2. By **January 31, 2019** – Committee shall review each survey to evaluate the school entity's safety preparedness and determine whether the prior assessment meets the criteria established by the Committee.
3. Upon completion of review, the Committee will notify a school entity of its findings.

2(d). School Safety and Security Committee: School Safety and Security Grant Program

- \$60 million has been appropriated for the School Safety and Security Grant Program during the 2018-19 school year.
- Eligible school entities (i.e., school district, intermediate unit, area vocational-technical school, charter school or private residential rehabilitative institution) may apply for grants through PCCD. The Committee is responsible for approving awards.
- Funds can be used for a wide variety of items enumerated in Act 44 (Section 1306-B), including the purchase of equipment, trainings, programs, counseling services, planning, screenings, and to secure School Resource and Police Officers.
- **PLEASE NOTE: This funding is totally separate from the Office of Safe School funding distributed by the PA Department of Education.**

2(d). School Safety and Security Committee: School Safety and Security Grant Program

- The Committee is currently working on the process for distributing the Act 44 grant funding. In general:
 - \$52.5 million will be for school safety and security grants (i.e., items included under Section 1306-B (j)(1-21)).
 - \$7.5 million will be for grants for programs designed to reduce community violence (i.e., items included under Section 1306-B(j)(22)).
 - **NOTE:** School entities, municipalities, institutions of higher education, community-based organizations and other entities approved by the Committee are potentially eligible for community violence program grants.
- Solicitations will be released during the 2018/19 School Year.
- Maximum annual allocation is 10% of funds available under the program.
- Any SCHOOL DISTRICT with a “meritorious application” will receive a minimum of \$25,000.
- School entities may supplement, and not supplant, existing spending on school safety and security.
- Eligible applicants should review [Act 44](#) for more details on requirements and eligible activities.

2(d). School Safety and Security Committee: School Safety and Security Grant Program

- The School Safety and Security Grant Program will be distributed through PCCD.
- Click on this page (<https://www.pccd.pa.gov/Funding/Pages/default.aspx>) to familiarize yourself with PCCD's Egrants process and begin the registration process.
 - **NOTE: PCCD's Egrants system is SEPARATE from the PA Department of Education's Egrants system. You must sign up in PCCD's system in order to apply and receive School Safety and Security Grants.**
- Visit <https://www.pccdegrants.pa.gov/Egrants/Public/Subscribe.aspx> to sign up to receive email notifications for funding announcements released through PCCD.

3. Expands PA State Police's Risk and Vulnerability Assessment Team (RVAT) Unit

- By March 31, 2019, the Pennsylvania State Police are required to establish three Risk and Vulnerability Assessment Teams (RVATs) to operate within 3 geographic regions in PA.
- Teams are to conduct assessments while school is in session based upon the Committee's criteria.
- Assessments conducted by PSP's RVAT unit are free of charge.
- RVAT shall report any critical school entity safety and security needs identified through their assessments to the Committee annually.

4. Establishes mandatory school safety training for employees.

- School entities shall provide their employees with mandatory training on school safety and security. Training shall address:
 - Situational awareness.
 - Trauma-informed education awareness.
 - Behavioral health awareness.
 - Suicide and bullying awareness.
 - Substance use awareness.
 - Emergency training drills, including fire, natural disaster, active shooter, hostage situation and bomb threat.
- Trainings may be provided online, and may count toward continuing professional education credits if approved by PDE in consultation with the Committee.
- Employees shall complete a minimum of three hours of training every five years.

5. Establishes standards for school police officers, school resource officers and school security guards.

- Created Article XIII-C (relating to School Police Officers and School Resource Officers).
 - Allows school entities or nonpublic schools to apply to their County's Common Pleas court to appoint a school police officer (SPO).
 - Requires school entities or nonpublic schools that employ SPOs to report annually to PDE's Office of Safe Schools on the identity and number of SPOs employed; the municipalities comprising the school entity or in which the nonpublic is located; and the date and type of training provided to each SPO.
 - Requires SPOs to be administered the Oath of Office required by PA Constitution and wear a shield or badge while on duty.
 - Firearm training for SPOs must be 53 PA.C.S. Ch.21 Subch. D (relating to municipal police education and training) or PSP graduate with Trooper experience.

5. Establishes standards for school police officers, school resource officers and school security guards.

- SPO powers and duties are outlined in the law (generally, enforce good order on school buildings, buses and grounds).
- SPOs shall be paid by the school entity or nonpublic school for which the SPO is appointed, as may be agreed upon between the School Board or administration of the nonpublic school and the SPO. SPOs are employees of the school entity and are entitled to all rights and benefits.
- Act 44 also provides for cooperative police service agreements with municipal police and/or State Police.
- A school entity or nonpublic school may contract with retired Federal Agents; retired state, municipal or military police officers or sheriffs to serve as independent contractors.

5. Establishes standards for school police officers, school resource officers and school security guards.

- School Resource Officers (SRO), if conferred by the school entity, may:
 - Assist in identifying physical changes in the school environment that may reduce crime;
 - Assist in developing school policies to address crime and recommend procedural changes;
 - Develop and education students in crime prevention and safety;
 - Train students in conflict resolution, restorative justice and crime awareness;
 - Address crime and violence issues, gangs and drug activities; and
 - Develop and expand community justice initiatives for students.
- A school security guard may provide following services as determined by a school entity:
 - School safety support services.
 - Enhanced campus supervision.
 - Assistance with disruptive students.
 - Monitoring visitors on campus.
 - Coordination with law enforcement officials, including school police and resource officers.
 - Security functions which improve and maintain school safety.

6. Establishes the Safe2Say Program in the Attorney General's Office

- The Attorney General (AG) is required to administer the Safe2Say program as of January 14, 2019.
- Safe2Say will be a 24/7 anonymous tip line for school safety.
- Information received will be forwarded to affected school entity and law enforcement (LE).
- AG must train LE, school entities and emergency dispatch centers; must also establish guidelines for school entities in responding to reports.
- School entities must develop procedures for assessing and responding to reports.

Act 44 – Recap

1. **August 31, 2018** - School entities select school safety and security coordinators.
2. **September 30, 2018** - Committee establishes School Safety Assessment Criteria.
3. **October 31, 2018** - Committee establishes registration requirements for school safety assessors.
4. **After October 31, 2018** - Committee receives and approves applications for the registration of school safety assessors.
5. **October 31, 2018** - Committee develops and distributes a school safety survey.
6. **November 30, 2018** - School entities return safety surveys to the Committee.
7. **January 31, 2019** - Committee reviews surveys and existing school safety plans.
8. **March 31, 2019** – PA State Police expands RVAT unit.
9. **2018/19 School Year** – Committee administers the School Safety and Security Grant Program through PCCD.

Questions?

- Submit questions to RA-CD-SSSC@pa.gov
- A Frequently Asked Questions (FAQ) Sheet will be created and will be available on PCCD's School Safety and Security webpage at: <https://www.pccd.pa.gov/schoolsafety/Pages/default.aspx>
- More information about Committee decisions and guidance will be available and updated on PCCD's School Safety and Security webpage and through correspondence through the PA Department of Education.