

# **AN ORDINANCE OF THE BOROUGH ALLOWING THE BOARD OF SCHOOL DIRECTORS TO ASSUME HIRING AND OVERSIGHT OF SCHOOL CROSSING GUARDS.**

BE IT ENACTED AND ORDAINED by the Borough Council and it is hereby enacted and ordained by the authority of the same that:

## **Section 1**

Pursuant to Section 1127 of the Act of February 1, 1966 as amended, the Borough hereby allows the Board of Directors to assume hiring and oversight of school crossing guards. The Police Department shall provide such training or assistance of the school crossing guards while on duty, as deemed necessary by the Chief of Police, from time to time. Such school crossing guards shall be authorized only in the management of traffic and pedestrians in and around areas identified by the Police Department and the School District Superintendent or his or her designees.

## **Section 2**

The school crossing guards shall not come within the civil service provision of the Act above referred to, nor shall they fall under the bargaining unit of the School District nor be considered an employee as defined under Section 1101-A of the Act of March 10, 1949, known as the "Public School Code of 1949", or a school employee as defined under 24 PA C.S. Section 8102 (relating to definitions), or under any plans hereafter effective.

## **Section 3**

The School District shall assume the cost of compensation, including fixing such compensation, if any, of the school crossing guards. Auxiliary police officers, appointed as prescribed by general law, may be hired by the School District to serve as school crossing guards. The Board of School Directors shall notify the Borough Council of those hired to serve as school crossing guards and shall further hold the Borough harmless from and indemnify the Borough from any and all claim or claims made, suits, judgements or recovery of any nature or kind resulting from the action or actions or lack thereof by or on account of any such school crossing guard, designated or appointed by the School District pursuant to this ordinance, and shall provide to the Borough an agreement providing for such indemnification.

All ordinances or parts of ordinances in conflict with this Ordinance, or inconsistent with the provisions of this Ordinance, are hereby repealed to the extent necessary to give this Ordinance full force and effect.

This is a sample ordinance. We suggest that it be modified, as appropriate, to fit the needs of your borough. We also suggest that all proposed ordinances be reviewed by your solicitor. Although these are samples of ordinances which have been adopted by other municipalities, the Association cannot assume responsibility for ensuring their legality. We are pleased to provide this service free of charge to our members. If we can be of further assistance, please do not hesitate to contact us: **PENNSYLVANIA STATE ASSOCIATION OF BOROUGHES**, 2941 North Front Street, Harrisburg, PA 17110. 717-236-9526.