

**TOWNSHIP OF WORCESTER
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE 2023-295

**AN ORDINANCE AUTHORIZING THE BOARD OF SCHOOL DIRECTORS OF
THE METHACTON SCHOOL DISTRICT TO ASSUME THE HIRING AND
OVERSIGHT OF SCHOOL CROSSING GUARDS FOR THE PUBLIC
SCHOOLS WITHIN THE TOWNSHIP**

WHEREAS, pursuant to the Second Class Township Code, 53 P.S. 66915, the Township of Worcester (“Township”) is authorized to allow a board of directors of a school district to assume the hiring and oversight of school crossing guards by ordinance; and

WHEREAS, the Township does not maintain a police department or a police chief to supervise or train crossing guards for the public schools within the Township; and

WHEREAS, Section 66915 provides that prior to the Township enacting such ordinance, a school board must adopt a resolution requesting the authority to assume the hiring and oversight of the school crossing guards; and

WHEREAS, on February 28, 2023, the School Board (“School Board”) of the Methacton School District (“District”) adopted a resolution requesting the authority to assume the hiring and oversight of school crossing guards pursuant to Section 66915; and

WHEREAS, on July 11, 2023, the Worcester Township Zoning Hearing Board granted certain relief in relation to Application Number 2023-02 of the Fairview Village Seventh Day Adventist Church, Pennsylvania Conference Association of Seventh Day Adventists regarding the property located at 3235 Germantown Pike, Worcester Township, (“Church Property”) permitting the use of the parking lot on the property to be shared with Methacton High School for student and overflow parking on certain conditions.

NOW THEREFORE, BE IT ORDAINED AND ENACTED AND IT IS HEREBY ORDAINED AND ENACTED by the Board of Supervisors of the Township of Worcester, Montgomery County, Pennsylvania, as follows:

SECTION 1. SCHOOL BOARD TO ASSUME HIRING AND OVERSIGHT OF SCHOOL CROSSING GUARDS. Pursuant to Section 66915 of the Second Class Township Code, the School Board of Methacton School District shall assume the hiring and oversight of school crossing guards who shall have the duty of controlling and directing traffic and pedestrians at or near the Methacton public schools within the Township.

SECTION 2. SCHOOL DISTRICT RESPONSIBLE FOR TRAINING AND ASSISTANCE. As the Township does not maintain a police department or police chief, the District shall be solely responsible for any necessary training and assistance of the school crossing guards.

SECTION 3. MANAGEMENT OF TRAFFIC AND PEDESTRIANS. The school crossing guards shall be trained and authorized in the management of traffic and pedestrians in and around the Methacton public schools within the Township, as identified by the District Superintendent or designees.

SECTION 4. CONDITIONS. The school crossing guards must be on duty at any time the Church Property is in use by the District to the extent that the District deems it necessary.

SECTION 5. EMPLOYMENT PROVISIONS. The school crossing guards shall not:

- (a) be subject to the civil service provisions of the Second Class Township Code;
- (b) be considered part of any bargaining unit of the District; and/or
- (c) be considered:
 - (i) an employee under Article XI-A, Section 11-1101-A, of the Pennsylvania Public School Code;
 - (ii) a school employee as defined under the Public School Employees Retirement Code, 24 Pa. C.S. §8102;
 - (iii) an employee under any plan.

SECTION 6. COMPENSATION. The District shall assume the cost of compensation, including fixing compensation, if any, of the school crossing guards.

SECTION 7. NOTIFICATION TO THE TOWNSHIP. The School Board shall notify the Township of the individuals hired to serve as school crossing guards within fourteen (14) days of such hiring.

SECTION 8. SEVERABILITY. The invalidity of any section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance.

SECTION 9. SAVINGS AND REPEALER. To the extent this Ordinance is inconsistent with the Code of Worcester Township, the provisions of this Ordinance shall take precedence. Any provisions of any Ordinances inconsistent with this Ordinance are hereby repealed.

SECTION 10. NO WAIVER. The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

SECTION 11. EFFECTIVE DATE. This Ordinance shall become effective immediately upon enactment.

ENACTED AND ORDAINED by the Supervisors of the Township of Worcester, Montgomery County, Pennsylvania on this 16th day of August, 2023.

FOR WORCESTER TOWNSHIP

By: _____
Richard DeLello, Chair
Board of Supervisors

Attest: _____
Sean Halbom, Secretary