

**Borough of Indiana  
Indiana County, Pennsylvania**

**Ordinance No. 2023-01**

**AN ORDINANCE OF THE BOROUGH OF INDIANA, INDIANA COUNTY, PENNSYLVANIA, ENACTING CHAPTER 85: EDUCATIONAL SERVICE AGENCY TO CLARIFY THE EMPLOYMENT STATUS AND DUTIES OF SCHOOL CROSSING GUARDS, AND TO ENSURE THE CONTINUATION OF THE AGENCY FOR THE BENEFIT OF EDUCATIONAL INSTITUTIONS AND STUDENTS WITHIN THE BOROUGH.**

**WHEREAS**, the Borough Council of Indiana recognizes the importance of providing a safe environment for students of public schools within the borough while commuting to and from educational institutions; and

**WHEREAS**, the Borough Council is committed to enhancing the safety and protection of students and promoting the effective operation of the Educational Service Agency; and

**WHEREAS**, public notice of consideration of this Ordinance was made by publication one time in a newspaper of general circulation within the Borough on [August 11, 2023, as well as posting on the Borough Website.

**NOW, THEREFORE**, be it ordained and enacted by Borough Council, and it is hereby enacted by the authority of the same that Chapter 85: Educational Service Agency is amended as follows:

**Chapter 85**

**EDUCATIONAL SERVICE AGENCY**

- § 85-1. Agency created; purpose.
- § 85-2. Employment status of school crossing guards.
- § 85-3. Direction and control of Agency.
- § 85-4. Employment status
- § 85-5. Services limited.
- §85-6. Construal of provisions.
- §85-7. Continuation of Agency.

**Adopted by the Borough Council of Indiana, Pennsylvania** \_\_\_\_\_

**§ 85-1. Agency created; purpose.**

The Borough Council of Indiana hereby creates within the borough an agency to be known as the "Educational Service Agency," for the purpose of rendering services within the borough to educational institutions through the protection of students of the public schools at intersections within the borough.

**§ 85-2. Employment status of school crossing guards.**

All persons employed as school crossing guards shall be considered to be employed in the borough's Educational Service Agency.

**§ 85-3. Direction and control of Agency.**

The Educational Service Agency shall be under the direction and control of the Mayor, who may designate administrative duties to the Chief of Police or any other officer or employee of the borough, whose duty it shall be to supervise and direct the work of the Educational Service Agency

**§ 85-4. Employment status.**

Persons employed in the Educational Service Agency shall not be considered to be regular employees of the Police Department of the Borough of Indiana.

**§ 85-5. Services limited.**

Persons employed in the Educational Service Agency shall perform no services other than services to educational institutions within the borough through the provision of protection of students at intersections within the borough.

**§ 85-6. Construal of provisions.**

This chapter shall in no way affect the employment rights, duties or obligations of any person, but shall be considered to constitute a statement of clarification of employment status of persons employed as school crossing guards.

**§ 85-7. Continuation of Agency.**

The Educational Service Agency hereby recognized and formally established shall continue until changed or abolished by action of the Borough Council or until suspension of Act 108 of 1979 as adopted by the Legislature of the Commonwealth of Pennsylvania' in accordance with the term thereof.

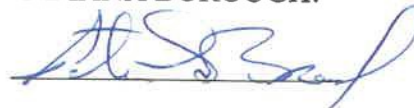
Duly presented and adopted at a regular meeting of the Indiana Borough Council, Indiana County, Pennsylvania, held on the 22<sup>nd</sup> day of August, 2023.

ATTEST:



Nichole Sipos  
Borough Manager

INDIANA BOROUGH:



Peter Broad  
Council President

This Ordinance is approved on this 22<sup>nd</sup> day of August, 2023.



William Simmons  
Mayor, Indiana Borough