INTRODUCED BY FEE, BERNSTINE, CAUSER, CORBIN, CUTLER, GREINER, GROVE, HICKERNELL, MENTZER, MILLARD, B. MILLER, NEILSON, O'NEILL, RYAN AND WARD, MAY 3, 2018

REFERRED TO COMMITTEE ON EDUCATION, MAY 3, 2018

AN ACT

Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," in organization meetings and officers of boards of school directors, providing for executive sessions.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, is amended by adding a section to read:

Section 425. Executive Sessions.--(a) Notwithstanding 65 Pa.C.S. § 708(a) (relating to executive sessions), a public school entity may hold an executive session to plan, review or discuss matters related to school safety, the disclosure of which, if conducted in public, would:

(1) be reasonably likely to impair the effectiveness of such measures; or

(2) create a reasonable likelihood of jeopardizing the
safety or security of an individual or a school, including a
building, public utility, resource, infrastructure, facility or
information storage system.

(b) The executive session may be held during an open meeting
or at the conclusion of an open meeting or may be announced for
a future time. The reason for holding the executive session must
be announced at the open meeting occurring immediately prior or
subsequent to the executive session. If the executive session is
not announced for a specific time in the future, members of the
agency shall be notified twenty-four (24) hours in advance of
the time of the convening of the meeting specifying the date,
time, location and purpose of the executive session.

(c) Official action on discussions held pursuant to
subsection (a) shall be taken at an open meeting. Nothing in
this section shall be construed to require that any meeting be
closed to the public, nor shall any executive session be used as
a subterfuge to defeat the purposes of 65 Pa.C.S. § 704
(relating to open meetings).

(d) For the purposes of this section, the term "executive
session" shall have the meaning given to the term under 65
Pa.C.S. § 703 (relating to definitions).

Section 2. This act shall take effect in 60 days.