

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 99

Special Session No. 1 of
1995

INTRODUCED BY MADIGAN, FISHER, RHOADES, GERLACH, O'PAKE, HOLL,
ROBBINS, HELFRICK, HART, SALVATORE, BAKER, ULIANA,
BRIGHTBILL, WENGER, HECKLER, ANDREZESKI, MELLOW, LEMMOND,
ARMSTRONG, CORMAN, SHUMAKER, PETERSON, WAGNER AND MOWERY,
MAY 22, 1995

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
OCTOBER 25, 1995

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, further providing for
3 JUVENILE HISTORY RECORD INFORMATION AND FOR adjudication. <—

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

6 ~~Section 1. Section 6341 of Title 42 of the Pennsylvania~~ <—
7 ~~Consolidated Statutes is amended by adding a subsection to read:~~

8 SECTION 1. SECTION 6309(C) OF TITLE 42 OF THE PENNSYLVANIA <—
9 CONSOLIDATED STATUTES, AMENDED MARCH 15, 1995 (1ST SP.SESS.,
10 P.L. , NO.6), IS AMENDED AND THE SECTION IS AMENDED BY ADDING A
11 SUBSECTION TO READ:

12 § 6309. JUVENILE HISTORY RECORD INFORMATION.

13 * * *

14 (C) FINGERPRINTS AND PHOTOGRAPHS.--THE ARRESTING AUTHORITY
15 SHALL ENSURE THAT THE FINGERPRINTS AND PHOTOGRAPHS OF AN ALLEGED
16 DELINQUENT WHOSE FINGERPRINTS AND PHOTOGRAPHS WHICH HAVE BEEN

1 TAKEN BY AN ARRESTING AUTHORITY PURSUANT TO SECTION 6308(C) ARE
2 FORWARDED TO THE CENTRAL REPOSITORY[.] AS REQUIRED BY THE
3 PENNSYLVANIA STATE POLICE.

4 (D) DISPOSITION REPORTING.--THE DIVISION OR JUDGE OF THE
5 COURT ASSIGNED TO CONDUCT JUVENILE HEARINGS SHALL, WITHIN SEVEN
6 DAYS AFTER DISPOSITION OF A CASE WHERE THE CHILD HAS BEEN
7 ALLEGED TO BE DELINQUENT, NOTIFY THE ARRESTING AUTHORITY OF THE
8 DISPOSITION OF THE CASE. IN ADDITION, IT SHALL COLLECT AND
9 SUBMIT THE DISPOSITION OF CASES RESULTING IN ADJUDICATION OF
10 DELINQUENCY FOR INCLUSION IN THE CENTRAL REPOSITORY WITHIN 90
11 DAYS OF AN ADJUDICATION OF DELINQUENCY AS REQUIRED BY THE
12 JUVENILE COURT JUDGES' COMMISSION.

13 * * *

14 SECTION 2. SECTION 6341 OF TITLE 42 IS AMENDED BY ADDING A
15 SUBSECTION TO READ:

16 § 6341. Adjudication.

17 * * *

18 (b.1) School notification.--

19 (1) Upon finding a child to be a delinquent child, the
20 court shall, through the juvenile probation department,
21 provide the following information to the building principal
22 or his or her designee of any public, private or parochial
23 school in which the child is enrolled:

24 (i) Name and address of the child.

25 (ii) The delinquent act or acts which the child was
26 found to have committed.

27 (iii) A brief description of the delinquent act or
28 acts.

29 (iv) The disposition of the case.

30 (2) If the child is adjudicated delinquent for an act or

1 acts which if committed by an adult would be classified as a
2 felony, the court through the juvenile probation department
3 shall additionally provide to the building principal or his
4 or her designee relevant information contained in the
5 juvenile probation or treatment reports pertaining to the
6 adjudication, prior delinquent history and the supervision
7 plan of the delinquent child.

8 (3) Notwithstanding any provision set forth herein, the
9 court or juvenile probation department shall have the
10 authority to share any additional information regarding the
11 delinquent child under its jurisdiction with the building
12 principal or his or her designee as deemed necessary to
13 protect public safety or to enable appropriate treatment,
14 supervision or rehabilitation of the delinquent child.

15 (4) Information provided under this subsection is for
16 the limited purposes of protecting school personnel and
17 students from danger from the delinquent child and of
18 arranging appropriate counseling and education for the
19 delinquent child. THE BUILDING PRINCIPAL OR HIS OR HER <—
20 DESIGNEE SHALL INFORM THE CHILD'S TEACHER OF ALL INFORMATION
21 RECEIVED UNDER THIS SUBSECTION. Information obtained under
22 this subsection may not be used for admissions or
23 disciplinary decisions concerning the delinquent child unless
24 the act or acts surrounding the adjudication took place on or
25 within 1,500 feet of the school property.

26 (5) ANY INFORMATION PROVIDED TO AND MAINTAINED BY THE <—
27 BUILDING PRINCIPAL OR HIS OR HER DESIGNEE UNDER THIS
28 SUBSECTION SHALL BE TRANSFERRED TO THE BUILDING PRINCIPAL OR
29 HIS OR HER DESIGNEE OF ANY PUBLIC, PRIVATE OR PAROCHIAL
30 SCHOOL TO WHICH THE CHILD TRANSFERS ENROLLMENT.

1 ~~(5)~~ (6) Any information provided to the building <—
2 principal or his or her designee under this subsection shall
3 be maintained separately from the child's official school
4 record. Such information shall be secured and disseminated by
5 the building principal or his or her designee only as
6 appropriate in ~~paragraph (4)~~ PARAGRAPHS (4) AND (5). <—
7 * * *
8 Section ~~2~~ 3. This act shall take effect in 60 days. <—