

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1363 Session of
2014

INTRODUCED BY BOSCOLA, MAY 15, 2014

REFERRED TO EDUCATION, MAY 15, 2014

AN ACT

1 Providing for notice of fragrance allergy and for a prohibition
2 on the use of scented products in certain public schools.

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

5 Section 1. Short title.

6 This act shall be known and may be cited as the Fragrance
7 Free Schools Act.

8 Section 2. Purpose of act.

9 The purpose of this act is to ensure a safe and accommodating
10 learning environment for all students by requiring schools in
11 which a student has a fragrance allergy to prohibit the use of
12 scented products.

13 Section 3. Definitions.

14 The following words and phrases when used in this act shall
15 have the meanings given to them in this section unless the
16 context clearly indicates otherwise:

17 "Public school." Any or all classes or schools within this
18 Commonwealth conducted under the order and superintendence of

1 the Department of Education.

2 "Scented product." Perfume, cologne, body spray or other
3 related product.

4 Section 4. Prohibition on use of scented products.

5 (a) Prohibition.--A school that enrolls a student who has
6 notified the school that the student has a fragrance allergy
7 shall prohibit students, faculty and staff in the student's
8 school building from using scented products in accordance with
9 the policy developed under subsection (b).

10 (b) Policy.--Upon being notified of a fragrance allergy, the
11 school that enrolls the student under subsection (a) shall
12 notify the school district or joint school board. The school
13 district or joint school board shall develop a written policy
14 for the school to prohibit the use of scented products. The
15 school shall distribute the policy with the code of student
16 conduct required under 22 Pa. Code § 12.3(c) (relating to school
17 rules) and make available on the school entity's publicly
18 accessible Internet website, if any.

19 (c) Notification.--A school that enrolls a student under
20 subsection (a) shall post a notice in the student's school
21 building in accordance with the following:

22 (1) The notice shall state that a student within the
23 school building has a fragrance allergy and that the use of
24 scented products within the school building is prohibited.

25 (2) The notice may not identify the student with the
26 allergy.

27 (3) The notice shall be placed in plain view within the
28 school building at every point of entry.

29 Section 5. Failure to notify.

30 If a school fails to notify students, faculty and staff of

1 the prohibition on the use of scented products and a student has
2 an allergic reaction to a fragrance, the school shall reimburse
3 the student with the fragrance allergy for any medical expenses
4 incurred.

5 Section 6. Effective date.

6 This act shall take effect in 60 days.