

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

1 Commonwealth conducted under the order and superintendence of
2 the Department of Education.

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

5 Section 4. Prohibition on use of scented products.

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

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

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

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

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

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

30 Section 5. Failure to notify.

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

6 Section 6. Effective date.

7 This act shall take effect in 60 days.