

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 127 Session of 2015

INTRODUCED BY TALLMAN, MILLARD, JAMES, SACCONI, KAUFFMAN, D. COSTA, GRELL, CUTLER, MURT, GABLER, KORTZ, BLOOM, SAYLOR, EVERETT, BARRAR, READSHAW AND DUSH, JANUARY 21, 2015

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, FEBRUARY 3, 2015

AN ACT

1 Amending the act of June 27, 1991 (P.L.70, No.10), entitled "An
2 act requiring the superintendent of every public school
3 district to make available, upon request, lists of graduating
4 seniors to armed forces recruiters; and providing a penalty
5 for the misuse of any such lists," further providing for
6 title and for legislative intent; providing for short title
7 and for definitions; and further providing for list of
8 seniors to be compiled, for optional compliance by nonpublic
9 schools and for reimbursement of costs.

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

12 Section 1. The title of the act of June 27, 1991 (P.L.70,
13 No.10), entitled "An act requiring the superintendent of every
14 public school district to make available, upon request, lists of
15 graduating seniors to armed forces recruiters; and providing a
16 penalty for the misuse of any such lists," is amended to read:

AN ACT

18 Requiring [the superintendent of every public school district]
19 school entities to make available, upon request, lists of
20 [graduating seniors] secondary school students to armed

1 forces recruiters; and providing a penalty for the misuse of  
2 any such lists.

3 Section 2. Section 1 of the act is repealed:

4 [Section 1. Legislative intent.

5 It is the intent of the General Assembly through this  
6 legislation to assist armed forces recruiters to achieve  
7 additional access to potential recruits by compiling a list of  
8 prospective graduating seniors for distribution upon written  
9 request to armed forces recruiters for the cost thereof, for  
10 recruiting purposes only.]

11 Section 3. The act is amended by adding sections to read:

12 Section 1.1. Short title.

13 This act shall be known and may be cited as the Military  
14 Access to Student Recruiting Information Act.

15 Section 1.2. Legislative findings. <--

16 ~~It is the intent of the General Assembly through this~~  
17 ~~legislation to assist armed forces recruiters to achieve~~  
18 ~~additional access to potential recruits by compiling a list of~~  
19 ~~secondary school students for distribution upon written request~~  
20 ~~to armed forces recruiters for the cost thereof, for recruiting~~  
21 ~~purposes only.~~

22 Section 1.3 1.2. Definitions. <--

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

26 "School entity." A school district, joint school district,  
27 intermediate unit, area vocational-technical school, charter  
28 school, regional charter school or cyber charter school and any  
29 nonpublic school that receives assistance under the No Child  
30 Left Behind Act of 2001 (Public Law 107-110, 115 Stat. 1425).

1 "Secondary school student." A male or female student in  
2 grade eleven or twelve.

3 Section 4. Sections 2, 3 and 5 of the act are amended to  
4 read:

5 Section 2. List of [seniors] secondary school students to be  
6 compiled.

7 (a) Lists.--Subject to the limitations of subsection (b),  
8 [the superintendent of every public school district] a school  
9 entity, except as otherwise provided, shall, upon request, make  
10 available to all armed forces recruiters for the active  
11 component, reserve component and National Guard component of the  
12 armed forces the same access to [senior] secondary school  
13 students as is available to institutions of higher education  
14 [and], trade schools and prospective employers. Access shall  
15 include, but not be limited to, a list of [senior male and  
16 female] secondary school students by name, home address and, if  
17 published, telephone number[, who at the end of the respective  
18 academic year will graduate from the school system]. The list  
19 shall be compiled within 45 calendar days of the effective date  
20 of this act and in succeeding years by the first day of the  
21 academic year [in which the senior students will graduate].

22 (b) Notification.--Each school [district] entity shall  
23 notify [the] its tenth and eleventh grade students and, where  
24 the students are under 18 years of age, their parents or  
25 guardians in writing, prior to the end of [their junior] the  
26 academic year, of the requirements imposed by subsection (a).  
27 Each tenth and eleventh grade student and, where the student is  
28 under 18 years of age, the student's parents or guardians shall  
29 be given at least 21 calendar days to request in writing to the  
30 [superintendent] school entity exclusion of such student's name,

1 home address and telephone number prior to the release of such  
2 list. A school entity shall comply with each request for  
3 exclusion.

4 (c) Exception.--The requirements of this section shall not  
5 apply to a nonpublic school which receives assistance under the  
6 No Child Left Behind Act of 2001 (Public Law 107-110, 115 Stat.  
7 1425), if the school maintains a religious objection to service  
8 in the armed forces that is verifiable through the corporate or  
9 other organizational documents or materials of the school.

10 Section 3. Optional compliance by nonpublic schools.

11 The governing body or board of each [parochial, licensed  
12 private and] nonpublic school that does not receive assistance  
13 under the No Child Left Behind Act of 2001 (Public Law 107-110,  
14 115 Stat. 1425) shall determine whether or not to comply with  
15 the provisions of this act. If an affirmative determination is  
16 made, then the principal of that [parochial, licensed private  
17 or] nonpublic school shall comply with the provisions of  
18 sections 2 and 4.

19 Section 5. Reimbursement of costs.

20 Any costs incurred by [public and nonpublic schools] a school  
21 district, joint school district, intermediate unit, area  
22 vocational-technical school, charter school, regional charter  
23 school, cyber charter school or nonpublic school in complying  
24 with this act will be reimbursed by armed forces recruiters upon  
25 written documentation of expenses.

26 Section 5. This act shall take effect in 60 days.