

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 524 Session of 2017

INTRODUCED BY TALLMAN, PICKETT, READSHAW, BARRAR, SAYLOR,
KAUFFMAN, ROTHMAN, DOWLING, GABLER, SOLOMON, GILLEN, MILNE,
DUSH, B. MILLER AND JAMES, FEBRUARY 15, 2017

REFERRED TO COMMITTEE ON EDUCATION, FEBRUARY 15, 2017

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
21 forces recruiters; and providing a penalty for the misuse of

1 any such lists.

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 Section 1 of the act is repealed:

3 [Section 1. Legislative intent.

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

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

11 Section 1.1. Short title.

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

14 Section 1.2. Definitions.

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

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

23 "Secondary school student." A male or female student in
24 grade eleven or twelve.

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

27 Section 2. List of [seniors] secondary school students to be
28 compiled.

29 (a) Lists.--Subject to the limitations of subsection (b),
30 [the superintendent of every public school district] a school

1 entity, except as otherwise provided, shall, upon request, make
2 available to all armed forces recruiters for the active
3 component, reserve component and National Guard component of the
4 armed forces the same access to [senior] secondary school
5 students as is available to institutions of higher education
6 [and], trade schools and prospective employers. Access shall
7 include, but not be limited to, a list of [senior male and
8 female] secondary school students by name, home address and, if
9 published, telephone number[, who at the end of the respective
10 academic year will graduate from the school system]. The list
11 shall be compiled within 45 calendar days of the effective date
12 of this act and in succeeding years by the first day of the
13 academic year [in which the senior students will graduate].

14 (b) Notification.--Each school [district] entity shall
15 notify [the] its tenth and eleventh grade students and, where
16 the students are under 18 years of age, their parents or
17 guardians in writing, prior to the end of [their junior] the
18 academic year, of the requirements imposed by subsection (a).
19 Each tenth and eleventh grade student and, where the student is
20 under 18 years of age, the student's parents or guardians shall
21 be given at least 21 calendar days to request in writing to the
22 [superintendent] school entity exclusion of such student's name,
23 home address and telephone number prior to the release of such
24 list. A school entity shall comply with each request for
25 exclusion.

26 (c) Exception.--The requirements of this section shall not
27 apply to a nonpublic school which receives assistance under the
28 No Child Left Behind Act of 2001 (Public Law 107-110, 115 Stat.
29 1425), if the school maintains a religious objection to service
30 in the armed forces that is verifiable through the corporate or

1 other organizational documents or materials of the school.

2 Section 3. Optional compliance by nonpublic schools.

3 The governing body or board of each [parochial, licensed
4 private and] nonpublic school that does not receive assistance
5 under the No Child Left Behind Act of 2001 (Public Law 107-110,
6 115 Stat. 1425) shall determine whether or not to comply with
7 the provisions of this act. If an affirmative determination is
8 made, then the principal of that [parochial, licensed private
9 or] nonpublic school shall comply with the provisions of
10 sections 2 and 4.

11 Section 5. Reimbursement of costs.

12 Any costs incurred by [public and nonpublic schools] a school
13 district, joint school district, intermediate unit, area
14 vocational-technical school, charter school, regional charter
15 school, cyber charter school or nonpublic school in complying
16 with this act will be reimbursed by armed forces recruiters upon
17 written documentation of expenses.

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