
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1757 Session of
2017

INTRODUCED BY DEAN, DRISCOLL, DONATUCCI, RABB, ROTHMAN, FRANKEL,
HILL-EVANS, O'BRIEN, READSHAW, ROZZI, SCHLOSSBERG, McNEILL,
DAVIS, CALTAGIRONE, DERMODY, MURT, BOBACK, ROEBUCK, THOMAS,
SIMS, SCHWEYER, McCLINTON AND BRIGGS, DECEMBER 22, 2017

REFERRED TO COMMITTEE ON EDUCATION, DECEMBER 22, 2017

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," providing for policy for alcohol and
6 drug use amnesty at certain institutions of higher education.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. The act of March 10, 1949 (P.L.30, No.14), known
10 as the Public School Code of 1949, is amended by adding an
11 article to read:

12 ARTICLE XX-H

13 MISCELLANEOUS PROVISIONS

14 FOR INSTITUTIONS OF HIGHER EDUCATION

15 Section 2001-H. (Reserved).

16 Section 2002-H. Policy for alcohol and drug use amnesty.

17 (a) General rule.--In order to receive State funds for
18 institutional assistance grants from the Pennsylvania Higher
19 Education Assistance Agency, a postsecondary institution shall

1 adopt and implement the following policy as part of the
2 postsecondary institution's code of conduct:

3 The health and safety of every student at {Institution}
4 is of utmost importance. {Institution} recognizes that
5 students who have been drinking or using drugs, whether
6 such use is voluntary or involuntary, at the time that
7 violence, including, but not limited to, domestic
8 violence, dating violence, stalking or sexual assault
9 occurs may be hesitant to report such incidents due to
10 fear of potential consequences for their own conduct.
11 {Institution} strongly encourages students to report
12 domestic violence, dating violence, stalking or sexual
13 assault to institution officials. A bystander acting in
14 good faith or a reporting individual acting in good faith
15 that discloses any incident of domestic violence, dating
16 violence, stalking or sexual assault to {Institution's}
17 officials or law enforcement will not be subject to
18 {Institution's} code of conduct action for violations of
19 alcohol or drug use policies occurring at or near the
20 time of the commission of the domestic violence, dating
21 violence, stalking or sexual assault.

22 (b) Construction.--Nothing in this section shall be
23 construed to limit the ability of a postsecondary institution to
24 provide amnesty in circumstances other than those specified in
25 subsection (a).

26 (c) Definition.--For purposes of this section,
27 "postsecondary institution" shall include an independent
28 institution of higher education, a public institution of higher
29 education and State-related institutions as defined in section
30 2001-C.

1 Section 2. This act shall take effect in 60 days.