

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1188 Session of 2018

INTRODUCED BY LAUGHLIN, LANGERHOLC, WAGNER, WHITE, WARD, FOLMER AND HUTCHINSON, JUNE 1, 2018

REFERRED TO EDUCATION, JUNE 1, 2018

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," in duties and powers of boards of
 6 school directors, providing for protection and defense of
 7 pupils.

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

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

13 Section 510.3. Protection and Defense of Pupils.--(a) (1)
 14 The board of school directors in a school district may establish
 15 a policy permitting school personnel access to electronic stun
 16 guns in the buildings or on the grounds of a school.

17 (2) A board of school directors that establishes a policy
 18 under this section shall do all of the following:

19 (i) Establish an electronic stun gun safety plan. The board
 20 of school directors shall file the electronic stun gun safety

1 plan with the law enforcement agency that provides law
2 enforcement services to the school. An electronic stun gun
3 safety plan shall not be deemed to be a public record under the
4 act of February 14, 2008 (P.L.6, No.3), known as the "Right-to-
5 Know Law." The electronic stun gun safety plan shall include all
6 of the following:

7 (A) Identification of the school personnel permitted access
8 to electronic stun guns pursuant to this section.

9 (B) Coordination between the law enforcement agency and
10 school personnel, including the school personnel permitted
11 access to electronic stun guns under this section, during an
12 emergency response.

13 (C) Procedures for the law enforcement agency to review the
14 discharge of electronic stun guns in the buildings or on the
15 grounds of the school that are owned by school personnel
16 permitted access to electronic stun guns under this section.

17 (ii) Provide for the storage of electronic stun guns in a
18 secured lockbox accessible only by use of an identification card
19 issued to school personnel authorized to have access to
20 electronic stun guns in the buildings or on the grounds of a
21 school. The secured storage system must be designed such that
22 the use of an identification card to open the lockbox
23 automatically transmits an alarm directly to an emergency
24 dispatch center.

25 (iii) Provide notification of the establishment of the
26 policy to the parents and guardians of all students enrolled in
27 each school of the school district that has school personnel who
28 are permitted access to electronic stun guns under this section.

29 (iv) Provide notification to the nearest hospital of the
30 number of schools in the school district where school personnel

1 have access to electronic stun guns in the buildings and on the
2 property of the schools.

3 (b) School personnel permitted access to electronic stun
4 guns in the buildings or on the grounds of a school by the board
5 of school directors must:

6 (1) Maintain a current and valid certification in the use
7 and handling of an electronic stun gun issued under an
8 electronic stun gun training program that has been approved by
9 the Commissioner of Pennsylvania State Police to be of
10 sufficient scope and duration as to provide the participant with
11 basic training in the use and handling of electronic stun guns.

12 (2) Complete a psychological evaluation and receive a
13 professional opinion from the evaluating psychologist that the
14 individual is psychologically capable of exercising appropriate
15 judgment and restraint as an individual authorized to have
16 access to electronic stun guns in the buildings or on the
17 grounds of a school.

18 (c) Information regarding specific school personnel
19 permitted access to electronic stun guns in the buildings or on
20 the grounds of a school:

21 (1) Shall not be subject to the "Right-to-Know Law."

22 (2) May not be disclosed during a meeting open to the public
23 under 65 Pa.C.S. Ch. 7 (relating to open meetings).

24 (d) As used in this section, the term "electronic stun gun"
25 has the meaning given to the term "electric or electronic
26 incapacitation device" in 18 Pa.C.S. § 908.1 (relating to use or
27 possession of electric or electronic incapacitation device).

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