

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 971 Session of 2023

INTRODUCED BY COLEMAN, TARTAGLIONE, ARGALL, DUSH AND COLLETT, OCTOBER 31, 2023

SENATOR ARGALL, EDUCATION, AS AMENDED, JUNE 12, 2024

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 ~~safe schools~~ STUDENT SUPPORTS, <--
6 providing for parental and employee notification of weapon
7 incidents.

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 1303.2-A. Parental and Employe Notification of
14 Weapon Incidents.--(a) A school entity shall notify parents and
15 guardians and school employes of an incident involving the
16 possession of a weapon on any school property that constitutes a
17 violation of one of the following:

18 (1) Section 1317.2.

19 (2) 18 Pa.C.S. § 912 (relating to possession of weapon on
20 school property).

1 ~~(3) A school board's locally established policies relating~~ <--
2 ~~to weapons.~~

3 (3) LOCALLY ESTABLISHED POLICIES OF A SCHOOL ENTITY'S <--
4 GOVERNING BODY RELATING TO WEAPONS.

5 (b) The following shall apply:

6 (1) Unless the circumstances of the incident necessitate
7 otherwise, the notification shall be made in accordance with the
8 following:

9 (i) The notification required under subsection (a) shall be
10 made within twenty-four (24) hours of the incident.

11 (ii) The notification shall be made using a method of
12 communication likely to reach parents and guardians and school
13 employees.

14 (2) ~~If the~~ EXCEPT AS PROVIDED IN PARAGRAPH (3), IF AN <--
15 incident involving the possession of a weapon occurs at a school
16 building, ~~school entities~~ THE SCHOOL ENTITY may limit <--
17 notification to parents and guardians of students enrolled in or
18 attending, or school employees assigned to, the school building
19 where the incident occurred.

20 (3) IF THE SCHOOL BUILDING AT WHICH THE INCIDENT OCCURS <--
21 SHARES A CAMPUS WITH OTHER SCHOOL BUILDINGS, THE SCHOOL ENTITY
22 SHALL MAKE NOTIFICATION TO PARENTS AND GUARDIANS OF STUDENTS
23 ENROLLED IN OR ATTENDING, OR SCHOOL EMPLOYEES ASSIGNED TO, ANY
24 BUILDING SITUATED ON THE SHARED CAMPUS.

25 ~~(3)~~ (4) If an incident involving the possession of a weapon <--
26 occurs at a school-sponsored activity or on a public conveyance
27 providing transportation to or from a school or school-sponsored
28 activity, the following shall apply:

29 (i) The school entity shall ensure that the notification
30 required under this section reaches the appropriate population

1 of parents and guardians and school employes.

2 (ii) A notification is not required if the incident is not
3 directly related to the school-sponsored activity or the
4 students or staff involved in the activity.

5 (5) SUBJECT TO 20 U.S.C. § 1232G (RELATING TO FAMILY <--
6 EDUCATIONAL AND PRIVACY RIGHTS), A SCHOOL EMPLOYE TO WHOM A
7 STUDENT IN POSSESSION OF A WEAPON UNDER SUBSECTION (A) IS
8 ASSIGNED SHALL BE DEEMED TO BE A SCHOOL OFFICIAL WITH LEGITIMATE
9 EDUCATIONAL INTEREST IN THE STUDENT, AND THE SCHOOL ENTITY SHALL
10 NOTIFY THE SCHOOL EMPLOYE OF THE STUDENT'S IDENTITY AND PORTION
11 OF THE STUDENT'S RECORDS RELATING TO THE INCIDENT.

12 (c) Nothing in this section shall be construed to:

13 (1) Limit a school entity's responsibility to report
14 incidents to local law enforcement prior to providing parents
15 and guardians and school employes with the notification required
16 under subsection (a).

17 (2) In an emergency, supersede or limit a school entity's
18 responsibility to follow the procedure in its disaster response
19 and emergency preparedness plan developed under 35 Pa.C.S. §
20 7701(g) (relating to duties concerning disaster prevention).

21 (3) Supersede or preempt any provision of a collective
22 bargaining agreement between a school entity and an employe
23 organization.

24 (d) Except as required to notify the parent or guardian of a
25 student found to be in possession of a weapon, ~~or~~ TO PROVIDE <--
26 NOTICE TO SCHOOL EMPLOYES UNDER SUBSECTION (B) (5) OR AS
27 otherwise permitted, the school entity's notification to parents
28 or guardians or school employes under this section shall not
29 contain personally identifiable information about a student IN <--
30 COMPLIANCE WITH 20 U.S.C. § 1232G.

1 ~~(e) For the purposes of this section, the term "school~~ <--
2 ~~property" shall mean any of the following:~~
3 ~~(1) Any public school grounds.~~
4 ~~(2) Any school sponsored activity.~~
5 ~~(3) Any conveyance providing transportation to a school~~
6 ~~entity or school sponsored activity.~~

7 (E) FOR THE PURPOSES OF THIS SECTION, THE FOLLOWING WORDS <--
8 AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
9 SUBSECTION:

10 "SCHOOL ENTITY." AN AREA CAREER AND TECHNICAL SCHOOL,
11 CHARTER SCHOOL, CYBER CHARTER SCHOOL, NONPUBLIC SCHOOL, PRIVATE
12 SCHOOL, REGIONAL CHARTER SCHOOL OR SCHOOL DISTRICT.

13 "SCHOOL PROPERTY." ANY OF THE FOLLOWING:

14 (1) PUBLIC SCHOOL GROUNDS.

15 (2) A SCHOOL-SPONSORED ACTIVITY.

16 (3) A CONVEYANCE PROVIDING TRANSPORTATION TO A SCHOOL
17 ENTITY OR SCHOOL-SPONSORED ACTIVITY.

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