
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2106 Session of
2014

INTRODUCED BY TALLMAN, KORTZ, MILLARD, SAYLOR, CLYMER, KAUFFMAN,
D. COSTA, SWANGER, GROVE AND ROCK, MARCH 17, 2014

REFERRED TO COMMITTEE ON EDUCATION, MARCH 17, 2014

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:

17 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 Section 1 of the act is repealed: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. Legislative findings.

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

21 Section 1.3. Definitions.

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

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

30 "Secondary school student." A male or female student in

1 grade eleven or twelve.

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

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

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

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

1 list. A school entity shall comply with each request for
2 exclusion.

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

9 Section 3. Optional compliance by nonpublic schools.

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

18 Section 5. Reimbursement of costs.

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

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