

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 460 Session of 2023

INTRODUCED BY BARTOLOTTA, MARTIN, ROBINSON, SCHWANK, TARTAGLIONE, KANE, BREWSTER, REGAN, FARRY, COSTA, HUGHES, DILLON, BROOKS AND VOGEL, MARCH 16, 2023

SENATOR PITTMAN, RULES AND EXECUTIVE NOMINATIONS, RE-REPORTED AS AMENDED, JUNE 26, 2023

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 preliminary provisions,
6 establishing the Child Reunification Program in the
7 Department of Education.

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 130. Child Reunification Program.--(a) The Child
14 Reunification Program is established in the department to assist
15 in locating and returning missing children by providing
16 identification kits as provided in this section.

17 (b) Beginning with the 2023-2024 school year, and each
18 school year thereafter, the department shall provide, to the
19 extent money is appropriated or otherwise available to the

1 department for the purpose, a school entity with identification
2 kits to be distributed to the parents and legal guardians of
3 eligible children.

4 (c) The department and each school entity shall post a
5 notice on their publicly accessible Internet websites that
6 identification kits are available to eligible children, a
7 description of the purpose of the identification kits and
8 instructions for a parent or legal guardian of an eligible child
9 to opt out from receiving an identification kit for the eligible
10 child.

11 (d) No later than November 15, a school entity shall
12 distribute identification kits at no cost to the parents and
13 legal guardians of an eligible child of the school entity unless
14 the parent or legal guardian opts out of receiving an
15 identification kit.

16 (e) The school district of residence shall make
17 identification kits available under subsection (d) to parents
18 and legal guardians of eligible children enrolled in home
19 education programs under section 1327.1.

20 (f) A school entity shall record the number of
21 identification kits distributed each school year and shall
22 annually report to the department, in a manner prescribed by the
23 department, the number of identification kits distributed.

24 (g) A school entity may not retain information about the
25 parents and legal guardians who received identification kits
26 under the program.

27 (h) A parent or legal guardian who receives an
28 identification kit may submit the identification kit, along with
29 a physical description of the eligible child, to law enforcement
30 for the sole purpose, if the eligible child is missing, of

1 locating and returning the eligible child to the parent or legal
2 guardian.

3 (i) Information recorded in an identification kit is not a
4 public record and is not accessible for inspection and
5 duplication in accordance with the act of February 14, 2008
6 (P.L.6, No.3), known as the "Right-to-Know Law."

7 (j) The department may require a school entity to return to
8 the department undistributed identification kits or may offset
9 the number of undistributed identification kits against the
10 number of identification kits delivered to the school entity in
11 the following school year.

12 (k) The department shall annually post a report of the total
13 number of identification kits distributed to school entities and
14 the number of identification kits distributed by each school
15 entity under the program on the department's publicly accessible
16 Internet website no later than December 31.

17 (l) As used in this section, the following words and phrases
18 shall have the meanings given to them in this subsection unless
19 the context clearly indicates otherwise:

20 "Department." The Department of Education of the
21 Commonwealth.

22 "Eligible child." A child enrolled in the first grade.

23 "Identification kit." An ~~inkless~~, in-home fingerprint and <--
24 DNA identification kit.

25 "Program." The Child Reunification Program established in
26 this section.

27 "School entity." A school district, charter school, regional
28 charter school, cyber charter school, intermediate unit and
29 nonpublic school.

30 Section 2. This act shall take effect immediately.