

No. 1995-30 (SS1)

AN ACT

SB 99

Amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for juvenile history record information and for adjudication.

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

Section 1. Section 6309(c) of Title 42 of the Pennsylvania Consolidated Statutes is amended and the section is amended by adding a subsection to read:

§ 6309. Juvenile history record information.

* * *

(c) Fingerprints and photographs.—The arresting authority shall ensure that the fingerprints and photographs of an alleged delinquent whose fingerprints and photographs which have been taken by an arresting authority pursuant to section 6308(c) are forwarded to the central repository[.] as required by the Pennsylvania State Police.

(d) Disposition reporting.—*The division or judge of the court assigned to conduct juvenile hearings shall, within seven days after disposition of a case where the child has been alleged to be delinquent, notify the arresting authority of the disposition of the case. In addition, it shall collect and submit the disposition of cases resulting in adjudication of delinquency for inclusion in the central repository within 90 days of an adjudication of delinquency as required by the Juvenile Court Judges' Commission.*

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Section 2. Section 6341 of Title 42 is amended by adding a subsection to read:

§ 6341. Adjudication.

* * *

(b.1) School notification.—

(1) Upon finding a child to be a delinquent child, the court shall, through the juvenile probation department, provide the following information to the building principal or his or her designee of any public, private or parochial school in which the child is enrolled:

- (i) Name and address of the child.
- (ii) The delinquent act or acts which the child was found to have committed.
- (iii) A brief description of the delinquent act or acts.
- (iv) The disposition of the case.

(2) If the child is adjudicated delinquent for an act or acts which if committed by an adult would be classified as a felony, the court, through the juvenile probation department, shall additionally provide to the building principal or his or her designee relevant information contained in the juvenile probation or treatment reports pertaining to the adjudication, prior delinquent history and the supervision plan of the delinquent child.

(3) Notwithstanding any provision set forth herein, the court or juvenile probation department shall have the authority to share any additional information regarding the delinquent child under its jurisdiction with the building principal or his or her designee as deemed necessary to protect public safety or to enable appropriate treatment, supervision or rehabilitation of the delinquent child.

(4) Information provided under this subsection is for the limited purposes of protecting school personnel and students from danger from the delinquent child and of arranging appropriate counseling and education for the delinquent child. The building principal or his or her designee shall inform the child's teacher of all information received under this subsection. Information obtained under this subsection may not be used for admissions or disciplinary decisions concerning the delinquent child unless the act or acts surrounding the adjudication took place on or within 1,500 feet of the school property.

(5) Any information provided to and maintained by the building principal or his or her designee under this subsection shall be transferred to the building principal or his or her designee of any public, private or parochial school to which the child transfers enrollment.

(6) Any information provided to the building principal or his or her designee under this subsection shall be maintained separately from the child's official school record. Such information shall be secured and disseminated by the building principal or his or her designee only as appropriate in paragraphs (4) and (5).

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Section 3. This act shall take effect in 60 days.

APPROVED—The 17th day of November, A.D. 1995.

THOMAS J. RIDGE