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THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2199 Session of 2026

INTRODUCED BY TAKAC, HOHENSTEIN, GUENST, SMITH-WADE-EL, KHAN, CARROLL, HILL-EVANS, McNEILL, WAXMAN, MAYES, PIELLI, HANBIDGE, SANCHEZ, FRANKEL, RIVERA, CEPEDA-FREYTIZ, BOROWSKI, ISAACSON, KINKEAD AND KAZEEM, FEBRUARY 4, 2026

REFERRED TO COMMITTEE ON EDUCATION, FEBRUARY 5, 2026

AN ACT

Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," in student supports, providing for policy against gender-based bullying.

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

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

Section 1303.3-A. Policy Against Gender-Based Bullying.--(a) Beginning with the 2026-2027 school year, a school entity shall adopt a policy or amend its existing policy relating to bullying and incorporate the policy into the school entity's code of student conduct required under 22 Pa. Code § 12.3(c) (relating to school rules). The policy shall delineate disciplinary consequences for bullying against a student based on the student's actual or perceived sex, sexual orientation, gender

identity or gender expression and shall provide for prevention, intervention and education programs.

(b) For a nonbinary or transgender student transitioning to their stated gender identity, the policy shall establish best practices and guidelines for student and family support during the student's transitioning period, respect the student's privacy of the transition from other students, school faculty, and parents and include the student's stated gender identity and pronouns when the student is being addressed.

(c) A school entity shall include the policy in the school entity's student handbook and make the policy available on its publicly accessible Internet website, if available, and in every classroom. A school entity shall post the policy at a prominent location within each school building where public notices are usually posted. A school entity shall ensure that the policy and procedures for reporting bullying incidents are reviewed with students within ninety (90) days after being adopted and thereafter at least once each school year.

(d) A school entity shall review its policy adopted under this section every three (3) years and annually provide the Department of Education with a copy of the policy relating to bullying, including information related to the development and implementation of any gender-based bullying prevention, intervention and education programs. The information required under this subsection shall be attached to or made part of the annual report required under section 1319-B(b).

(e) In its policy relating to bullying adopted or maintained under subsection (a), a school entity shall not be prohibited from defining bullying in such a way as to encompass an act that occurs outside a school setting if the act meets the

requirements contained in paragraphs (1), (3) and (4) of the definition of "bullying" in subsection (f). If a school entity reports an act of bullying to the Department of Education in accordance with section 1319-B(b), the school entity shall report all incidents that qualify as bullying under the school entity's adopted definition of the term.

(f) For purposes of this section:

"Bullying" shall mean an intentional electronic, written, verbal or physical act, or a series of acts:

(1) directed at another student or students;

(2) which occurs in or out of a school setting;

(3) that is severe, persistent or pervasive; and

(4) that has the effect of doing any of the following:

(i) substantially interfering with a student's education;

(ii) creating a threatening environment; or

(iii) substantially disrupting the orderly operation of the school.

"Gender identity or expression" shall mean an individual's gender-related identity, appearance, mannerisms, expression or other gender-related characteristics, regardless of the individual's designated or perceived sex.

"Nonbinary" shall mean an individual who does not identify solely, or at all, as either male or female.

"School setting" shall mean in a school, on school grounds, in a school vehicle, at a designated bus stop or at any activity sponsored, supervised or sanctioned by the school entity.

"Sexual orientation" shall mean an individual's physical, romantic or emotional attraction to individuals of the same or different gender.

"Transgender" shall mean an individual whose gender identity

or expression is different from that traditionally associated with the individual's assigned sex at birth.

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