

THE GENERAL ASSEMBLY OF PENNSYLVANIA

# HOUSE BILL

No. 376 Session of  
2005

INTRODUCED BY ROEBUCK, DeWEESE, D. EVANS, STETLER, BISHOP,  
LEACH, MUNDY, SHANER, STURLA, BIANCUCCI, BLACKWELL, BUXTON,  
CRUZ, DONATUCCI, HARPER, JOSEPHS, W. KELLER, MANDERINO, MANN,  
McGEEHAN, RIEGER, SAMUELSON, THOMAS, TIGUE, WASHINGTON,  
WILLIAMS, YOUNGBLOOD AND J. TAYLOR, FEBRUARY 9, 2005

REFERRED TO COMMITTEE ON EDUCATION, FEBRUARY 9, 2005

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," further providing for the definition  
6 of "compulsory school age" and for home education programs.

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

9 Section 1. Section 1326 of the act of March 10, 1949  
10 (P.L.30, No.14), known as the Public School Code of 1949, is  
11 amended to read:

12 Section 1326. Definitions.--The term "compulsory school  
13 age," as hereinafter used, shall mean the period of a child's  
14 life from the time the child's parents elect to have the child  
15 enter school, which shall be not later than at the age of [eight  
16 (8)] six (6) years, until the age of seventeen (17) years. The  
17 term shall not include any child whose parent, guardian or other  
18 person having legal custody of the child has satisfied the

1 provisions of section 1327.1(a.1) or who holds a certificate of  
2 graduation from a regularly accredited senior high school.

3 The term "migratory child," wherever used in this subdivision  
4 of this article, shall include any child domiciled temporarily  
5 in any school district for the purpose of seasonal employment,  
6 but not acquiring residence therein, and any child accompanying  
7 his parent or guardian who is so domiciled.

8 Section 2. Section 1327.1 of the act is amended by adding a  
9 subsection to read:

10 Section 1327.1. Home Education Program.--\* \* \*

11 (a.1) This section shall not apply to a child who is at  
12 least six (6) years of age but has not attained eight (8) years  
13 of age, within the first two weeks of the school year, provided  
14 that the parent or guardian or other person having legal custody  
15 of the child has filed notice with the superintendent of the  
16 school district of residence and which sets forth:

17 (1) the name and address of such parent or guardian or other  
18 person having legal custody of the child;

19 (2) the child's name and age; and

20 (3) a statement that the child's education shall be provided  
21 for by such parent, guardian or other person having legal  
22 custody of the child.

23 \* \* \*

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