

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 120 Session of
2007

INTRODUCED BY ROEBUCK, STAIRS, CURRY, D. EVANS, BEYER, BISHOP,
CALTAGIRONE, FABRIZIO, FRANKEL, HARPER, JAMES, MANDERINO,
MANN, M. O'BRIEN, O'NEILL AND YOUNGBLOOD, JANUARY 31, 2007

REFERRED TO COMMITTEE ON EDUCATION, JANUARY 31, 2007

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 compulsory
6 school attendance and for exceptions to compulsory school
7 attendance; and requiring all public school districts in this
8 Commonwealth to conduct interviews for all students who
9 withdraw or are illegally absent from school.

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

12 Section 1. Section 1327 of the act of March 10, 1949
13 (P.L.30, No.14), known as the Public School Code of 1949, is
14 amended by adding a subsection to read:

15 Section 1327. Compulsory School Attendance.--* * *

16 (a.1) A student who is out of compliance with this section
17 shall be required to complete an interview in accordance with
18 section 1354.1.

19 * * *

20 Section 2. Section 1330 of the act, amended May 11, 1949
21 (P.L.1195, No.361), October 21, 1965 (P.L.601, No.312) and

1 January 14, 1970 (1969 P.L.468, No.192), is amended to read:

2 Section 1330. Exceptions to Compulsory Attendance.--(a) The
3 provisions of this act requiring regular attendance shall not
4 apply to any child who--

5 (1) Has attained the age of sixteen (16) years, and who is
6 regularly engaged in any useful and lawful employment or service
7 during the time the public schools are in session, and who holds
8 an employment certificate issued according to law;

9 (2) Has been examined by an approved mental clinic or by a
10 person certified as a public school psychologist or
11 psychological examiner, and has been found to be unable to
12 profit from further public school attendance, and who has been
13 reported to the board of school directors and excused, in
14 accordance with regulations prescribed by the State Board of
15 Education.

16 (3) Has attained the age of fifteen (15) years and is
17 engaged in farm work or domestic service in a private home on a
18 permit issued by the school board or the designated school
19 official of the school district of the child's residence, in
20 accordance with regulations which the Superintendent of Public
21 Instruction is hereby authorized to prescribe;

22 (4) Has attained the age of fourteen (14) years and is
23 engaged in farm work or domestic service in a private home on a
24 permit issued as provided in clause (3) of this section, and who
25 has satisfactorily completed, either in public or private
26 schools, the equivalent of the highest grade of the elementary
27 school organization prevailing in the public schools of the
28 district in which he resides, if the issuance of such a permit
29 has first been recommended by the district superintendent of
30 schools having supervision of the schools of the district where

1 such child resides, or by the principal of the private school
2 where such child is enrolled, and the reason therefor has been
3 approved by the Superintendent of Public Instruction;

4 (5) Except in districts of the fourth class and those of the
5 third class located wholly within the boundary lines of a
6 township, or within the boundary lines of a borough which has a
7 population of less than five hundred (500) inhabitants to the
8 square mile, resides two miles or more by the nearest public
9 highways from any public school in session and no proper free
10 transportation is furnished to such child to and from school.

11 (b) A student who withdraws under this section shall
12 complete an interview in accordance with section 1354.1.

13 Section 3. The act is amended by adding a section to read:

14 Section 1354.1. Interview Reports for Withdrawing and
15 Illegally Absent Students.--(a) It shall be the duty of every
16 school principal and guidance counselor to conduct or order an
17 interview for each student who withdraws or is illegally absent
18 for ten (10) days or more, without lawful excuse, from that
19 school district. During the interview the student shall be made
20 aware of alternatives to withdrawing from the school district.
21 If the student is legally withdrawing as provided in section
22 1330, the interview must be done in conjunction with the
23 verification of any work or farm permit issued. If the student
24 is not in compliance with the compulsory school attendance
25 provisions of this act, an interview must be conducted that
26 further inquires as to why the student is illegally absent. A
27 student withdrawing to attend a charter school, cyber charter
28 school, home education program, nonpublic nonlicensed school,
29 private academic school or an approved institution of higher
30 education shall not be required to complete an interview

1 required in this section.

2 (b) Any parent or guardian of a student of compulsory school
3 age who is withdrawing or illegally absent shall complete an
4 interview on behalf of the student if, and only if, the student
5 fails to complete the interview first. The interview may be
6 conducted in person or via the telephone at a time most
7 accommodating for both parties. Failure of a parent or guardian
8 to complete an interview on behalf of the child of the parent or
9 guardian within fifteen (15) school days after the last day the
10 child attended school is a violation of this section and the
11 school district may impose a civil penalty in accordance with
12 section 1333.

13 (c) The Department of Education shall establish and
14 distribute a standard form to be completed by a school principal
15 or guidance counselor during an interview. The form shall
16 require, but is not limited to, the following information: name,
17 address, telephone number, date of birth, most current student
18 identification number, current grade level, school name and
19 district, reasons for withdrawing, name, address and telephone
20 number of a parent or guardian and any other information the
21 department deems necessary. These forms must be filed with the
22 Department of Education within thirty (30) days following the
23 interview. The data collected from the interviews, excluding
24 specific names and addresses and identification, will be used in
25 conjunction with the Electronic Dropout/Graduate Report (EDGR),
26 a data reporting system or a report of equivalence compiled and
27 distributed by the Division of Data Services of the Department
28 of Education. In addition, the information shall be made part of
29 the student's permanent record. The report must be made public
30 at the end of each fiscal year.

1 (d) The provisions of sections 1356 and 1357 shall not apply
2 to this section.

3 Section 4. This act shall take effect in 60 days.