

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2573 Session of 2018

INTRODUCED BY TALLMAN, HICKERNELL, READSHAW, WARD, TOOHL, HILL-
EVANS, BERNSTINE, JAMES, KINSEY AND JOZWIAK, JULY 31, 2018

REFERRED TO COMMITTEE ON EDUCATION, JULY 31, 2018

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 pupils and attendance, providing
6 for ensuring equal access and timely graduation.

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

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

12 Section 1331.1. Ensuring Equal Access and Timely
13 Graduation.--(a) Each student experiencing an education
14 disruption shall be assigned a point of contact at the school
15 entity which the student attends. The following shall apply:

16 (1) The following may serve as a point of contact:

17 (i) A certified school counselor.

18 (ii) A certified home and school visitor.

19 (iii) A social worker.

20 (iv) A foster care point of contact.

1 (v) A local education liaison under the McKinney-Vento
2 Homeless Assistance Act (Public Law 100-77, 42 U.S.C. § 11301 et
3 seq.).

4 (vi) A teacher.

5 (vii) A school administrator.

6 (viii) Other appropriate school staff.

7 (2) The name of the person serving as a point of contact
8 shall be noted in the student's school record.

9 (3) Notice regarding the student's point of contact shall be
10 sent to the student's parent, guardian, foster parent or other
11 education decision maker.

12 (4) A point of contact shall:

13 (i) Assist with the student's transition to the new school
14 entity by determining appropriate class placement and connecting
15 the student with appropriate services and opportunities,
16 including participating in extracurricular activities, career
17 and technical training and other programs.

18 (ii) Work with the student in grades nine through twelve and
19 the student's parent, guardian, foster parent or other education
20 decision maker and the county children and youth agency to
21 evaluate and document partial and full credits which the student
22 has earned and the credits that are needed to graduate for
23 inclusion in a graduation plan for the student. The
24 documentation shall be maintained in the student's education
25 file.

26 (b) A student experiencing an education disruption shall not
27 be penalized for a school uniform or dress code violation
28 related to a delay in obtaining a uniform due to the student's
29 mobility.

30 (c) For a student experiencing an education disruption at

1 any time, the student's current school entity shall ensure that
2 the student:

3 (1) has equal access to participate in school programs,
4 sports, extracurricular activities and career and technical or
5 other special programs for which the student qualifies,
6 including transportation, if provided; and

7 (2) receives all special education services to which the
8 student is entitled.

9 (d) A student experiencing an education disruption shall be
10 eligible to earn credits in the new school entity regardless of
11 the student's date of enrollment. A school entity shall honor
12 credits and partial credits previously earned in a prior
13 educational placement by a student experiencing an education
14 disruption.

15 (e) When a student experiencing an education disruption
16 transfers to a new school entity, the receiving school entity
17 shall communicate with the sending school entity within two days
18 of the student's enrollment. The sending school entity shall
19 provide the receiving school entity with any requested records
20 within two days of having received the receiving school entity's
21 communication.

22 (f) A student experiencing an education disruption who
23 transfers to a new school entity shall have:

24 (1) priority placement in classes that meet State graduation
25 requirements; and

26 (2) timely placement in elective classes that are comparable
27 to those in which the student was enrolled at the student's
28 previous school entity as soon as the new school entity receives
29 verification from the student's records.

30 (g) A school entity shall waive local requirements for

1 graduation for a student experiencing an education disruption if
2 similar or alternative coursework has been satisfactorily
3 completed in another educational placement. If the student was
4 unable to take a similar course required for graduation, the
5 school entity shall waive the local requirement or offer an
6 alternative means for the student to graduate on time, which may
7 include awarding credit based on alternative methods, such as
8 testing or written work, credit for work or internship
9 experiences, summer school, after-school or online credit
10 recovery programs overseen by a teacher or other measures.

11 (h) When a student experiencing an education disruption
12 lacks credits needed to graduate on time, a school entity shall
13 offer options to allow the student to make up lost credits, such
14 as testing or written work, summer school, after-school or
15 online credit recovery programs overseen by a teacher or other
16 assessments.

17 (i) If a student experiencing an education disruption
18 transfers at the beginning of the student's junior year of high
19 school or later and is ineligible to graduate from the current
20 school entity, a former school entity shall award a diploma if
21 the student meets the graduation requirements of that former
22 school entity.

23 (j) After exhausting all other options under this section, a
24 student experiencing an education disruption who has completed
25 at least four (4) years of high school and meets the State
26 graduation standards under section 1613, but who cannot obtain a
27 school entity-issued diploma, shall as a last resort be eligible
28 to obtain a Commonwealth secondary school diploma issued by the
29 Department of Education. Notwithstanding any other provision of
30 law, in such an instance, the Department of Education shall

1 issue a Commonwealth secondary school diploma to the student.
2 The student's most current school entity shall assist the
3 student in obtaining that diploma.

4 (k) The State Board of Education, in consultation with the
5 Secretary of Education, shall establish guidance to implement
6 this section and facilitate the transition between school
7 entities.

8 (l) Each school entity shall develop policies and
9 procedures, if the school entity does not already have policies
10 and procedures in place, to ensure that a new school entity:

11 (1) relies on decisions made by the previous school entity
12 regarding the placement in courses or educational programs of a
13 student experiencing an education disruption; and

14 (2) places a student experiencing an education disruption in
15 comparable courses or educational programs at the new school
16 entity, if those courses or programs are available.

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

20 "School entity" means any of the following:

21 (1) A school district.

22 (2) A charter school.

23 (3) A cyber charter school.

24 (4) A regional charter school.

25 (5) An intermediate unit.

26 (6) An area vocational-technical school.

27 "Student experiencing an education disruption" means a
28 student in grades kindergarten through twelve who has
29 experienced or is experiencing one or more changes in school
30 entities or school district enrollment during a single school

1 year as a result of any of the following:

2 (1) Homelessness as defined in the McKinney-Vento Homeless
3 Assistance Act (Public Law 100-77, 42 U.S.C. § 11301 et seq.)
4 and as determined by the school entity or school district.

5 (2) An adjudication:

6 (i) of dependency under 23 Pa.C.S. Ch. 63 (relating to child
7 protective services) and 42 Pa.C.S. Ch. 63 (relating to juvenile
8 matters);

9 (ii) of delinquency under 23 Pa.C.S. Ch. 63 and 42 Pa.C.S.
10 Ch. 63, if the parent or guardian of the student wishes to
11 disclose the adjudication of delinquency; or

12 (iii) as part of court-ordered services under a voluntary
13 placement or custody agreement.

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